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ASSEMBLY

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ONE HUNDRED AND TWENTY-FOURTH SESSION

1901.

VOL. XXXI.—NOS. 78 (PART 5) TO 81, INCLUSIVE.

ALBANY:
JAMES B. LYON, STATE PRINTER,
1901.

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REPORT

OF THE

SPECIAL COMMITTEE

OF THE

ASSEMBLY

Appointed to Investigate the Public Offices and Departments of the City of New York and of the Counties Therein Included.

TRANSMITTED TO THE LEGISLATURE JANUARY 15, 1900.

VOL. V.

ALBANY
JAMES B. LYON, STATE PRINTER.
1900.

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Barron, Michael, felony, October 2, 1896.
Brannelly, Thomas, excise, June 11, 1885.
Bridenbach, Michael J., excise, November 12, 1885.
Bartz, John A., excise, May 27, 1886.
Bailey, William, excise, October 11, 1886.
Borchers, William, excise, June, 1886.
Blake, Patrick, excise, April 25, 1890.
Bischaff, Bruen, excise, May 16, 1890.
Bang, Henry J., excise, May 16, 1890.
Brakemann, Richard, excise, May 16, 1890.
Bode, Albert, excise, May 16, 1890.
Brakemann, Frederick, excise, May 16, 1890.
Brennan, Michael, excise, May 16, 1890.
Burne, John, excise, May 16, 1892.
Burke, John J., excise, November 21, 1892.
Bunce, Andrew, excise, December 4, 1893.
Burnes, Patrick, excise, December 6, 1893.
Barrey, James, excise, December 6, 1893.
Bentler, Wm., excise, December 6, 1893.
Bernheim, Seigfried, excise, December 6, 1893.
Barry, Patrick, excise, December 11, 1893.
Bligh, Roger W., excise, December 11, 1893.
Bohrer, Frederick, excise, December 11, 1893.
Bissell, Jennie, excise, May 11, 1894.
Bartels, Henry, excise, November 30, 1894.
Boehms, Joseph E., grand larceny, first, August 13, 1894.
Behrens, Frederick, excise, December 6, 1893.
Bernstein, Asher, perjury, December 22, 1893.
Betts, Carlton H. (2), forgery, second, March 2 and 16, 1894.
Barring, Chas. W., grand larceny, first, April 30, 1895.
Barnett, Clarence, forgery, April 30, 1896.
Bernsheim, Jacob the younger, murder, first, November 19, 1896.
Beacon, Joseph J., injury to property, March 6, 1897.
Barraletti, Marcelus H., grand larceny, second, September 2. 1897.

Boehm, Joseph, grand larceny, second, May 25, 1895.
Brooks, Cassius H., perjury, April 8, 1891.
Brown, Wm., perjury, March 22, 1895.
Bushe, George B. A. (4), grand larceny and perjury, January 30 and July 30, 1896.
Chamberlain, Wm., excise, November 16, 1895.
Carroll, Peter J., excise, December 14, 1894.
Clark, John, excise, November 12, 1895.
Casey, Daniel, excise, September 26, 1888.
Clark, Mary, excise, November 21, 1892.
Clifford, Robert H., excise, June 28, 1892.
Carney, Thomas, excise, December 11, 1893.
Considine, Martin, excise, December 11, 1893.
Connors, Timothy, assault, third, June 17, 1886.
Carson, John, assault, second, October 10, 1894.
Cashin, James, liquor tax, August 27, 1896.
Carland, Thomas, policy, April 21, 1897.
Corlis, Jacob, excise, January 2, 1895.
Crinnon, Mary, assault, second, December 16, 1896.
Cosetine, Alberto, forgery and grand larceny, May 28, 1896.
Cole, Morris, grand larceny, second, February 25, 1897.
Clark, John, alias John Williams, policy, March 18, 1897.
Dell, Thomas, excise, January 30, 1885.
Dyer, George, excise, March 17, 1885.
Duvel, August, excise, June 26, 1888.
Dalton, Andrew J., excise, January 29, 1890.
Devlin, Wm. F., excise, February 10, 1891.
Duffy, Thomas, excise, December 26, 1893.
Driscoll, John, March 29, 1895.
Donohue, Peter, excise, March 28, 1895.
Deits, Edwin O., grand larceny, first, December 13, 1895.
Dunn, James, grand larceny, first, May 18, 1887.
Daniels, Thomas J., asault, first, May 16, 1894.
Degeorge, Michael, attempted arson, October 25, 1894.
Duelty, Rachel, et al., misdemeanor, August 28, 1894.
Dwyer, James, assault, third, June 13, 1892.

Eiskamp, Wm. D., excise, May 24, 1888.
Adjuton, Wm. C., excise, September 28, 1894.
Eberhardt, Gustave, excise, December 14, 1895.
Early, James, excise, May 26, 1892.
Elsberg, Alexander, et al., forgery, third, March 15, 1894.
Eagan, Wm., election law, March 22, 1895.
Fitzpatrick, Wm. J., assault, second, September 20, 1888.
Farrell, Joseph, excise, December 9, 1885.
Fogan, Bernard, excise, May 27, 1886.
Foley, John J., excise, July 21, 1889.
Farrell, Thomas, excise, February 10, 1886.
Farrell, Joseph, excise, February 2, 1886.
Fleming, Philip W., excise, February 6, 1885.
Farley, Edwin (2), excise, May 6, June 6, 1892.
Frommer, Robert, excise, December 11, 1893.
Freeman, James D., excise, November 3, 1893.
Fennelly, Philip, excise, December 11, 1893.
Freidberg, Henry, policy, January 26, 1894.
Freisch, Eugene, excise, September 28, 1884.
Farley, Lawrence, Liquor tax, June 1, 1897.
Fagan, Andrew, fraudulent registration, March 22, 1895.
Farrell, Francis P., murder, first, January 15 and 29, 1897.
Fong, Cho, misdemeanor, March 25, 1895.
Frankovits, George, liquor tax, June 21, 1897.
Fox, Edward W., assault, third, April 28, 1897.
Fitzpatrick, Richard, robbery, first, November 30, 1897.
Freuind, Morris V. (12), perjury, October 4, 1895.
Gruft, Hermann, excise, October 22, 1894.
Greishotter, Jacob, excise, March 25, 1895.
Grumbossy, Max, excise, November 13, 1894.
Goetx, Adam, excise, May 16, 1890.
Goodwin, Michael, excise, May 16, 1890.
Gray, John, excise, March 28, 1887.
Grant, Hugh, excise, June 20, 1892.
Graf, Edward, excise, January 22, 1890.
Golder, John E., excise, June 2, 1892.

Gans, David, excise, May 16, 1890.
Gallagher, Harry P., excise, November 26, 1888.
Gimane, Martin, excise, January 2, 1895.
Gimmider, George F., excise, January 2, 1895.
Greenburg, Jacob, fraudulent removal of property, March 7, 1895.
Garrett, Mary E. (2), petit larceny, April 30, 1896.
Gavit, John, burglary, third, April 28, 1897.
Gerrety, Patrick, Election Law, March 22, 1895.
Gilmore, David N., receiving stolen goods, March 25, 1896.
Gros, Thomas, neglect of duty, March 22, 1895.
Gunther, Wm., forgery, second, May 22, 1896.
Gutman, Bernhard, grand larceny, first, December 4, 1896.
Hirsch, Herman, excise, January 28, 1886.
Hoffman, Herman, excise, June 11, 1885.
Hirsch, Louis, excise, April 17, 1885.
Humphreys, Frderick C., excise, December 15, 1885.
Heiles, Alfred, excise, November 19, 1885.
Haney, John, excise, March 11, 1891.
Haack, Louis, excise, April 16, 1889.
Hasker, Michael (2), excise, March 31, 1886.
Hermsdorf, Richard, excise, February 17, 1886.
Holler, Diedrich, excise, October 26, 1894.
Hart, John, excise, December 4, 1893.
Heist, Philip, excise, May 16, 1890.
Hynes, Peter H., excise, May 16, 1890.
Hirschberg, Henry, excise, December 2, 1892.
Hartge, Richard, excise, December 6, 1893.
Hanji, John, excise, April 27, 1894.
Hemken, Christian, excise, December 7, 1893.
Harris, William, grand larceny, first, November 1, 1894.
Harris, William, obtaining signature, September 23, 1895.
Haber, Paul, assault, second, August 14, 1895.
Hebron, Robert, burglary, third, August 30, 1897.
Honig, Wolff, et al., forgery, third, April 1, 1896.
Hill, George, grand larceny, second, December 31, 1896.

Hennessey Michael, perjury, March 22, 1895.
Hoffman, Horace J., perjury, October 17, 1895.
Hula, William, manslaughter, February 28, 1896.
Humphrey, John J., perjury, February 28, 1896.
Hoppin, Arthur H., arson, second, April 30, 1896 .
Hoban, John, liquor tax, June 27, 1897.
Huber, Frederick assault third August 12, 1897.
Johnston, Wm., excise, June 20, 1892.
Johnston, Hugh, excise, May 16, 1890.
Jordan, Anthony M., excise, May 16, 1890.
Johnson, James, excise, March 13, 1891.
Johnson, John, grand larceny, second, October 24, 1894.
Jameison, Wm., petit larceny, April 15, 1895.
Kuebler, Wm. F., excise, February 10, 1891.
Klenck, Wm. H., excise, December 19, 1892.
Kueny, Henry, excise, May 1, 1894.
Klushmeyer, Henry, excise, September 13, 1894.
Kruse, Herman, excise, January 2, 1895.
Ketchum, Samuel, et al., misdemeanor, July 23, 1894.
Klein, Pauline, liquor tax, April 28, 1896.
Kelly, Frank, burglary, first, December 4, 1896.
Kiernan, James, et al., assault, first, October 28, 1897.
Krauss, Edward G., assault, first, January 6 1897.
Kreiser, Samuel, et al., conspiracy, April 12, 1897.
Krumm, Charles, conspiracy, November 18, 1885.
Koster, John, et al., excise, (9), February 7, 1887.
Kelly, John, excise (2), November 12, 1885 and June 18, 1890.
Kerker, Adolph L., excise, May 16, 1890.
Kerls, Herman, excise, May 16, 1890.
Kosmak, Ameil H., excise, May 16, 1890.
Kean, Thomas, excise, January 29, 1891.
Lissberger, Max (7), grand larceny, first and second, August 21, 1896.
Lyons, John, excise, November 21, 1892.
Lindheim, Joseph, excise, December 11, 1893.
Linderman, Wm., excise, June 25, 1894.

Leonard, John J., excise, June 27, 1894.
Langola, Antonio, excise, October 8, 1894.
Lieckamp, Herman, excise, June 27, 1894.
Lemon, Bernhard, excise, January 23, 1884.
Lidenberger, Chas., excise, June 4, 1886.
Lang, John, excise, December 11, 1888.
Linder, Louis, excise, December 14, 1888.
Link, Julius, excise, May 16, 1890.
Levy, Isaac (2), perjury, July 23, 1894.
Lederer, Leo, forgery, second, February 22, 1895.
Lamgshore, Wm. J., liquor tax, May 27, 1896.
Lynch, James, assault second, October 12, 1897.
Lombardi, Joseph, misdemeanor, October 26, 1897.
Lynch, George, liquor tax, November 11, 1897.
McGuire, Michael, excise, February 4, 1886.
McGovern, Edward, excise, May 16, 1892.
McGovern, George, excise, May 25, 1892.
McKay, Lawrence, May 26, 1892.
McCondrey, Thomas, excise, June 2, 1892.
McCarthy, Denis, excise, November 21, 1892.
McDonald, Kiernan, excise, November 21, 1892.
McAleernon, Owen, excise, November 3, 1893.
McCormack, John, excise, December 11, 1893.
McGinness, John, excise, March 29, 1895.
McMahon, Joseph, excise, January 16, 1896.
McKenna, John, et al., robbery, first, April 26, 1895.
McCarthy, John, attempt suicide, May 20, 1895.
McKinley, John, et al., grand larceny, first, November 20, 1896.
McManuss, Edward, grand larceny, first, October 26, 1897.
McSweegan, Bernard, felony, August 5, 1897.
McDermott, James L. (3) forgery and grand larceny, November 17, November 10, 1897.
Maguire, John, robbery, first, July 21, 1893.
Monehan, Edw., maiming, September 28, 1891.
Maguire, Chas. P., excise, April 30, 1895.
Monahan, Patrick, excise, January 30, 1885.

Meyn, Ernst, excise, May 29, 1888.
Munson, Wm. T., excise, January 31, 1898.
Mallenda, Theodore, excise, May 16, 1890.
Monahan, Edward, excise, May 16, 1890.
Miller, Herman, excise, May 16, 1890.
Myer, Cord, excise, May 16, 1890.
Moyer, Augustus, excise, May 10, 1891.
Murray, Henry, excise, December 2, 1891.
Muldoon, Martin, excise, May 26, 1892.
Mullin, Hugh, excise, June 9, 1892.
Murtaugh, John, excise, December 6, 1893.
Morgan, Owen, excise, December 8, 1893.
Muller, John, excise, December 11, 1893.
Murphy, Charles, excise, June 27, 1894.
Mapes, Charles, excise, October 18, 1894.
Monsees, John, excise, May 10, 1894.
Martin, Thomas, excise, June 22, 1894.
Meyer, August, excise, June 2, 1892.
Mellenbruck, Henry, excise, May 24, 1895.
Meyer, Dick, excise, May 20, 1897.
Moore, Mathew H., assault, first, December 5, 1894.
Menke, John, extortion, July 31, 1891.
Meinhardt, Fannie, liquor tax, April 29, 1897.
Mardoff, Henry, et al., lottery, May 16, 1895.
Marset, Joseph, grand larceny, second, April 30, 1897.
Milch, Samuel, et al., arson, third, March 8, 1895.
Minty, Michael, et al., libel, April 21, 1897.
Moony, Arthur B., (2) grand larceny second, November 15, December 8, 1897.
Muxlo, Herbert H., grand larceny, March 29, 1895.
Novak, Imre, excise, January 2, 1895.
Nott, James W., excise, March 20, 1895.
Nachtury, Frank, excise, June 10, 1886.
Naughton, James, excise, May 16, 1890.
Nelson, Albert, excise, March 16, 1891.
Norcott, John D., felony, May 28, 1891.

Neuman, Alexander, misdemeanor, June 30, 1896.
Nibiatky, Fegy, grand larceny, second, June 30, 1896.
Norman, Walter H., liquor tax, April 20, 1897.
O'Connor, John, excise, November 21, 1892.
O'Donnell, James, excise, December 1, 1892.
O'Connor, John, excise, December 6, 1893.
Osborne, Leonidus, excise, May 9, 1893.
O'Donohue, John, excise, January 29, 1896.
O'Connor, Jeremiah, excise, February 17, 1888.
O'Hare, Thomas, excise, December 18, 1885.
Ottermann, Henry, excise, May 24, 1886.
O'Brien, John J., forgery, second, October 30, 1896.
Pudner, Julius, et al., burglary, first, October 30, 1896.
Parker, John, et al., felony, October 2, 1896.
Peters, Joseph, receiving stolen goods, October 9, 1893.
Pope, Jacob, excise, October 26, 1894.
Peterson, Oscar, excise, November 12, 1885.
Peterson, Charles, excise, October 11, 1888.
Pond, Frederick, excise, June 28, 1892.
Paddell, Timothy F., excise, November 3, 1893.
Phillips, Michael, excise, December 24, 1893.
Peters, Walter B., forgery, second, November 6, 1896.
Plonsky, Abraham, arson, third, May 13, 1896.
Perez, Antonio, grand larceny, first, May 25, 1897.
Quinto, Leon, petit larceny, June 16, 1897.
Quirk, Andrew S., misdemeanor, June 28, 1897.
Rosenheim, Wolf, perjury, February 14, 1894.
Rosenberg, Julius, perjury, February 20, 1899.
Roemer, Max, excise, May 16, 1890.
Regan, Patrick J., excise, May 19, 1892.
Ryan, Jas. J., excise, February 16, 1893.
Ryan, Mary, excise, September 25, 1894.
Rossar, Therese, excise, May 22, 1885.
Ryan, John, excise, May 16, 1890.
Raub, Felix, excise, May 16, 1890.
Reiss, Conrad, excise, July 10, 1890.

Ramer, John, petit larceny, July 17, 1894.
Runigle, Christian, excise, January 2, 1895.
Ryan, John, election, March 22, 1895.
Roos, Louis, grand larceny, second, February 28, 1896.
Robinson, James, et al., grand larceny, first, January 8, 1896.
Smith, John, excise, May 16, 1890.
Schmidt, Frederick H., excise, May 16, 1890.
Scheuplein, John G., excise, May 16, 1890.
Sakman, John, excise, November 21, 1889.
Smith, James, excise, December 21, 1887.
Schroeder, Chas., excise, June 26, 1888.
Steineger, Joseph, excise, January 21, 1885.
Sauer, Frank A., excise, June 11, 1885.
Schmitzer, Paul, excise, May 27, 1885.
Speer, Herman, excise, November 21, 1892.
Sinaly, Louis, excise, November 28, 1892.
Sweeney, James, excise, May 27, 1892.
Stockmarr, Wm., excise, December 19, 1892.
Sandwall, Chas., excise, April 25, 1894.
Schaffner, Frank, excise, April 27, 1894.
Schachiger, Joseph, excise, December 8, 1894.
Sackofsky, Ferdinand, excise, December 6, 1893.
Steinbeck, Herman, excise, January 2, 1895.
Schiller, Ambroise, excise, December 11, 1892.
Selig, Maurice, excise, April 27, 1894.
Schwartz, Richard, excise, April 25, 1894.
Schmidd, Louis, excise, October 22, 1894.
Schwarker, Chas., excise, November 1, 1894.
Slaybough, Everett, excise, January 31, 1894.
Sullivan, John, excise, April 25, 1894.
Stern, Joseph, excise, June 27, 1894.
Sturcke, William, excise, September 27, 1894.
Stokes, Wm. E. D. et al., libel, April 25, 1893.
Smith, Jas. J., pool, March 16, 1893.
Samon, John, et al., grand larceny, first, June 3, 1893.
Schlesinger, Henry, grand larceny, second, April 19, 1895.

Schmidt, Emma, alias Emma Dorena, bigamy, January 26, 1897.

Shrady, George, perjury, March 26, 1897.

Solenburg, Lee, assault, third, December 22, 1897.

Tauber, George, excise, May 25, 1893.

Thompson, James, excise, second, November 3, December 11, 1893.

Tait, Wm., excise, May 16, 1890.

Thomas, Charles, et al., pool, March 27, 1893.

Trotta, Antonio, forgery, second, November 12, 1897.

Tynberg, Sieg, misdemeanor, March 31, 1896.

Thornton, Wm., et al., assault, second, May 19, 1897.

Tighe, John, misdemeanor, May 24, 1887.

Vallenstein, Leo, arson, third, March 2, 1894.

Vepolis, John, burglary, third, July 2, 1895.

Van Tuile, Frank (2), felony, February 9 and 14, 1893.

Voorath, Henry, excise, November 19, 1886.

Von Luestig, Fred, excise, March 29, 1895.

Verry, Chas., excise, February 17, 1886.

Velje, Christian, excise, December 20, 1888.

Wycke, William, et al. (3), misdemeanor, June 25, 1894.

Weiner, Morris, perjury, June 26, 1895.

Walton, Henry, assault, second, November 15, 1897.

White, John, robbery, first, July 7, 1897.

Worthington, John (2), grand larceny, first, November 29, 1897.

Wersbe, Louis, excise, September 29, 1885.

Wilson, Edward, excise, February 6, 1885.

White, Willard S., excise, April 27, 1885.

Waber, George, excise, February 6, 1885.

Wilson, Wm. H., excise, January 21, 1886.

Wahlers, Frederick, excise, April 25, 1889.

Wallace, Hugh, excise, May 16, 1890.

Zankel, William, excise, December 6, 1893.

LIST OF UNTRIED INDICTMENTS, SUPREME COURT, PART I, NAME, OFFENSE AND WHEN INDICTMENT FILED.

Bernard, Myron, et al. (3), grand larceny, first, March 30, 1899.

Cohen, Byron W., sub. of perjury, April 8, 1891.

Kark, Samuel, grand larceny, February 27, 1899.

Moore, Wm. A. E., et al., grand larceny, second, December 5, 1898.

Woodward, Wm., et al., conspiracy, May 24, 1897.

Weeks, Nelson, manslaughter, April 21, 1897.

Q. Did you furnish this list of indictments dismissed in the court of general sessions, from January 1, 1898, to May 15, 1899? A. Yes, sir; that list was furnished by our office.

Mr. Moss—There are 562 cases on that list?

The Witness—Yes, sir.

Mr. Moss—I will put that on the record.

COURT OF GENERAL SESSIONS—INDICTMENTS DISMISSED IN COURT FROM JANUARY 1, 1898, TO MAY 15, 1899, GIVING NAME, WHEN FILED AND OFFENSE.

Anderson, Maggie, April 15, 1895, in disorderly house.

Appleton, Annie Beach, January 26, 1894, grand larceny, second.

Allen, Theodore, November 19, 1897, bookmaking.

Asher, Samuel, June 4, 1897, disorderly conduct.

Arfmann, John, May 20, 1897, excise.

Ahearn, John, May 21, 1897, excise.

Adler, Peter, December 27, 1896, excise.

Atkinson, Julia G., May 25, 1898, grand larceny, second.

Ammon, Robert A., et al., November 22, 1897, bucketshop.

Allen, Theodore, et al., March 29, 1898, bookmaking.

Allen, Theodore, et al., July 31, 1895, pool selling.

Allen, Patrick, et al., November 11, 1897, pool selling.

Adler, Ernest, February 19, 1897, misdemeanor.

Ammon, Robert A., November 19, 1897, extortion.
Alexander, Isaac (5 cases), June 19, 1894, perjury.
Arenson, Martin, December 1, 1896, forgery, second.
Brennan, Thomas, February 26, 1896, excise.
Billings, Edward R. (2), March 25, 1896, excise.
Boyan, Thomas, February 26, 1896, excise.
Bloom, Jacob, January 27, 1896, excise.
Bitter, John, May 21, 1895, excise.
Breét, Thomas, January 27, 1896, excise.
Buch, Frederick, January 27, 1896, excise.
Bachem, Charles, January 15, 1896, excise.
Brand, Adolph, May 19, 1897, excise.
Bannon, Michael, May 28, 1897, excise.
Boloto, Salvani, May 29, 1897, excise.
Brennan, Michael B., May 25, 1897, excise.
Brennan, William, May 28, 1897, excise.
Brady, John, May 14, 1897, excise.
Buhler, George, May 20, 1897, excise.
Boyle, Martin, May 20, 1897, excise.
Bertini, Bartholomew, January 10, 1896, excise.
Backman, William, November 14, 1895, excise.
Brady, John P., February 6, 1896, excise.
Brady, Hugh, February 24, 1896, excise.
Bockel, George, April 30, 1896, excise.
Beaman, Thomas, January 23, 1896, excise.
Bennett, George H., January 29, 1895, excise.
Baxter, Patrick, May 28, 1897, excise.
Brune, Antonio, March 10, 1897, liquor tax.
Becht, John, December 3, 1896, liquor tax.
Bachmann, William, June 25, 1896, liquor tax.
Berge, Henry, October 2, 1896, liquor tax.
Burke, John, November 12, 1897, false registration.
Buggiche, Pedro, November 1, 1894, false registration.
Bianco, Cusino, February 3, 1898, assault, second.
Boyle, Thomas E., August 6, 1891, assault, second.
Barrett, William, November 13, 1893, burglary, third.

Beatto, Michael, February 8, 1898, burglary, third.
Bernstein, Michael, Samuel, June 17, 1898, burglary, third.
Bradley, James, March 21, 1893, kidnapping.
Broek, Max, May 29, 1896, misdemeanor.
Brown, David, December 31, 1896, perjury.
Brennan, George H., October 10, 1893, pool selling.
Burns, Henry, June 2, 1892, pool selling.
Burmuth, Solomon, May 25, 1897, misdemeanor.
Brooks, Charles, August 3, 1898, receiving.
Bratschneider, Bruno, October 26, 1897, disorderly house.
Bell, William, April 15, 1898, grand larceny, second.
Bianchi, Elizabeth, January 26, 1899, grand larceny, second.
Brockman, Maurice, August 28, 1895, disorderly house.
Brennan, Thomas, November 24, 1896, liquor tax.
Culhane, Thomas, December 22, 1897, assault, second.
Cohen, Simon, May 16, 1896, assault, third.
Conroy, Joseph, November 22, 1897, assault, third.
Cohen, Joseph, April 7, 1899, burglary, third.
Cleary, Thomas B., October 24, 1894, false registration.
Clark, John J., June 24, 1894, felony.
Craige, Luther, January 19, 1894, gambling house.
Corey, Edward (2), May 28, 1897, disorderly house.
Cliff, Nettie L., March 15, 1898, misdemeanor.
Coughlill, Frank A., July 23, 1897, grand larceny, first.
Carson, Edward, February 11, 1898, grand larceny, first.
Cohen, Morris, February 11, 1898, grand larceny, second.
Caccia, Charles W. (4), July 21, 1893, grand larceny, second.
Corbett, James J., September 15, 1896, misdemeanor.
Connor, John, March 22, 1895, misdemeanor.
Cobucio, Guiseppe, October 22, 1897, perjury.
Cunningham, George, October 25, 1893, abduction.
Conlan, David, June 29, 1897, liquor tax.
Calvania, Petrutti, August 7, 1896, liquor tax.
Colana, Giovanni, June 13, 1895, excise.
Cake, Frank, January 16, 1896, excise.
Connor, John, November 21, 1895, excise.

Coghlan, James, May 20, 1897, excise.
Coleman, Patrick, December 11, 1895, excise.
Crane, George, January 17, 1895, excise.
Campbell, Peter, December 23, 1895, excise.
Carney, James, December 23, 1895, excise.
Cashman, Daniel, January 27, 1896, excise.
Coloe, John, December 27, 1895, excise.
Cousy, Joseph, June 11, 1896, excise.
Condon, Maurice, January 28, 1896, excise.
Connelly, James R., February 24, 1896, excise.
Curtin, Lawrence, February 24, 1894, excise.
Carlin, Charles, May 25, 1892, pool selling.
Cashman, Daniel (2), May 29, 1896, excise.
Cash, Joseph, January 26, 1899, robbery, first.
Cleveland, Trumbull W., March 16, 1898, manslaughter, second.
Dunn, Thomas, April 12, 1892, assault, first.
Donnellon, Michael, May 21, 1896, assault, second.
Diffley, Peter, October 29, 1897, assault, second.
Daly, John, October 11, 1893, assault, second.
Duffy, James N., March 15, 1898, assault, third.
Daly, Charles, March 21, 1894, disorderly house.
Davis, Clifford, November 20, 1897, grand larceny, first.
De Angelis, Ciasre, January 15, 1897, grand larceny, first.
Dittmer, Paul, October 9, 1898, grand larceny, second.
Doyle, John, October 12, 1896, grand lareny, second.
Duffield, John J., October 18, 1895, perjury.
De Logorot, Richard, October 24, 1894, perjury.
Donohue, Peter, June 18, 1897, liquor tax.
Donohue, Peter, December 23, 1895, excise.
Diskin, Patrick W., November 15, 1895, excise.
Doyle, Martin J., February 26, 1896, excise.
Denechand, Edward, May 25, 1897, excise.
Donnelly, Edward, May 21, 1897, excise.
Darcey, Thomas, May 21, 1897, excise.
Dunn, John J., May 27, 1897, excise.
De Mater, Salvatori, —— 29, 1895, bribery.

Eggleston, Francis E., November 22, 1897, bucket shop.
Ernst, Frederick H., November 5, 1897, false registration.
Engel, Louis, June 16, 1897, excise.
Eagan, Joseph C., December 13, 1895, excise.
Fayen, J. Frederick, October 1, 1895, adulterating milk.
Foster, Wm. W., April 8, 1895, assault, first.
Flynn, Stephen N., February 6, 1893, assault.
Feeney, John, December 14, 1898, assault.
Farley, James, November 29, 1897, assault, third.
Fisher, Frederick, April 15, 1897, bookmaking.
Fratsch, Rudolph, November 2, 1894, false registration.
Farrington, Claude S., June 23, 1897, grand larceny, first.
Feinberg, Alexander, February 28, 1898, grand larceny, second.
Frasco, Emilio, July 14, 1893, receiving.
Fishman, Max (2), September 14, 1897, receiving.
Fox, Bernard, June 28, 1897, liquor tax.
Fitzgerald, Thomas, December 17, 1895, excise.
Fitzgerald, Wm. P., May 27, 1897, excise.
Foo, Ching, March 5, 1895, excise.
Foley, Thomas H., December 13, 1895, excise.
Finnegan, Thomas, May 21, 1897, excise.
Fairfax, Louise, May 19, 1897, excise.
Frankel, Newman, May 6, 1898, excise.
Flynn, Joseph, May 6, 1898, excise.
Foster, Patrick, May 6, 1898, excise.
Flannegan, Michael, May 6, 1898, excise.
Flemming, David, May 6. 1898, excise.
Finnegan, John, January 27, 1896, excise.
Galler, Joseph, September 22, 1892, assault, second.
Greenberg, George, January 6, 1898, assault, third.
Geodu, Louis, May 27, 1897, blackmail.
Gannon, Michael, October 26, 1894, bribery.
Golding, John J., May 26, 1898, burglary, first.
Gleason, John, August 13, 1894, burglary, third.
Gamor, John, October 31, 1894, false registration.
Grant, John, January 7, 1898, injury to property.

Goldstein, Dora, April 27, 1897, disorderly house.
Goldberg, Mayer, June 1, 1894, perjury.
Gatti, Victorio, November 28, 1894, misdemeanor.
Griffith, Wm. H., October 19, 1897, grand larceny, first.
Goldberg, Manuel, March 26, 1895, grand larceny, first.
Goldberg, Emanuel T., January 3, 1896, grand larceny, second.
Greenwalt, Edward B., June 7, 1896, grand larceny, second.
Granger, Frank, April 9, 1897, grand larceny, second.
Greenberg, Lena, June 2, 1897, petit larceny.
Gaw, Thomas C., December 29, 1896, liquor tax.
Goldsmith, David B., July 27, 1896, liquor tax.
Gilbert, Kate, July 12, 1894, excise.
Gaffney, Patrick, January 15, 1896, excise.
Griffin, Patrick, January 30, 1896, excise.
Graben, Charles, May 29, 1895, excise.
Godfrey, John, November 14, 1895, excise.
Gebhardt, Adam, December 27, 1895, excise.
Gowrey, William, May 19, 1897, excise.
Gyer, Robert, May 21, 1897, excise.
Grais, Charles, May 21, 1897, excise.
Godfrey, Michael, February 6, 1896, excise.
Hennesy, John D., December 27, 1898, arson, second.
Holt, George W. (two cases), June 24, 1895, arson, second.
Hallenbach, Edward S., February 5, 1896, assault, first.
Holmes, Martin, et al., March 15, 1897, assault, second.
Harris, Hiram W., October 29, 1897, felony.
Horton, John A., August 10, 1898, grand larceny, first.
Hildredth, Wm. H. (7 cases), April 23, 1894, grand larceny, first.
Hanlon, John, January 26, 1898, grand larceny, first.
Mammell, Lippman, November 30, 1897, grand larceny, second.
Heiomitz, Joseph, et al., March 24, 1898, fraud ob med rec.
Harvitt, Joseph, December 4, 1893, misdemeanor.
Hammerstein, Oscar, January 29, 1897, maintaining public nuisance.
Hendrickson, Henry F., June 19, 1893, obs. book.
Henoch, Rudolph, April 27, 1897, policy.

Hughes, John J., December 4, 1896, liquor tax.
Holbeck, Barbara, January 20, 1896, excise.
Hughes, Patrick, ———— 27, 1895, excise.
Herzog, Wm. B., December 16, 1895, excise.
Hayes, Edward F., May 21, 1897, excise.
Harrison, Patrick, May 21, 1895, excise.
Hechinger, Charles, April 30, 1891, excise.
Herzog, Wm. G., November 15, 1895, excise.
Hauck, Edward, November 26, 1895, excise.
Hawkinson, Frank, December 13, 1895, excise.
Hartjams, Henry, January 13, 1896, excise.
Hayes, Cornelius, May 19, 1896, excise.
Heckles, John J., May 21, 1897, excise.
Herbetz, Henry, December 13, 1895, excise.
Hettinger, Frederick, December 20, 1895, excise.
Healy, John, May 28, 1897, excise.
Hirschhorn, Isaac, April 24, 1895, excise.
Hahn, Augustus, January 29, 1896, excise.
Hurley, John T., February 24, 1896, excise.
Hilcker, Patrick, January 29, 1896, excise.
Hansen, Edward, May 14, 1897, excise.
Herzog, Gustave, November 15, 1895, excise.
Hollohan, Daniel, January 13, 1896, excise.
Hausen, Louis, January 28, 1896, receiving.
Ihlbrock, William, December 17, 1895, excise.
Jennings, Michael, November 2, 1896, assault, first.
Jacobs, Abraham, May 25, 1894, assault, first.
Jones, Lattimer (17 cases), October 14, 1887, forgery, second.
Johnston, Charles, June 16, 1892, pool selling.
Jacobson, Charles, March 19, 1894, tapping telegraph wires.
Josephson, Samuel, January 16, 1896, excise.
Joyce, Michael, January 13, 1896, excise.
Jordan, Anthony, January 16, 1895, excise.
Joyce, John H., October 31, 1895, excise.
Jerome, Joseph, December 20, 1895, excise.
Joseph, Jacob, June 21, 1897, grand larceny, second.

Kavanagh, Thomas H., April 21, 1897, assault, first.
Kline, Frederick, April 3, 1899, assault, first.
Katzenberg, Minton, October 1, 1895, assault, first.
Kenney, Arthur, June 30, 1896, grand larceny, first.
Kohn, Julias A., November 30, 1896, grand larceny, first.
Koller, Samuel, April 21, 1898, grand larceny, second.
Kauffman, Max H., May 26, 1896, misdemeanor.
Kleinberg, Wm., December 4, 1894, misdemeanor.
King, William, November 2, 1894, false registration.
Koch, Charles, December 15, 1897, attempted extortion.
Klenck, Wm. H., December 4, 1896, liquor tax.
Kruse, Henry, January 30, 1896, excise.
Kerrigan, Jeremiah, January 27, 1896, excise.
Kraschmann, Edmund, January 15, 1896, excise.
Kleis, Frederick, February 26, 1896, excise.
Kenney, John F., February 26, 1896, excise.
Kiernan, Daniel, December 30, 1897, excise.
Kohring, Henry W., December 25, 1895, excise.
Kiernan, Henry, November 14, 1895, excise.
Koegh, Thomas, January 28, 1896, excise.
Kelley, Thomas, December 30, 1895, excise.
Kohberg, Charles, December 11, 1895, excise.
Kinsellar, Daniel, November 15, 1895, excise.
Kelley, John J., October 3, 1895, excise.
Kiernan, Bernard, January 29, 1896, excise.
Kelley, Thomas F., January 16, 1896, excise.
Kiernan, Thomas J., January 20, 1896, excise.
Kerwick, John E., January 16, 1896, excise.
Kamana, John, January 15, 1896, excise.
Kelley, John, May 21, 1897, excise.
Kelley, James, February 6, 1896, excise.
Kelley, John, January 16, 1896, excise.
Kelley, Michael, November 21, 1895, excise.
Kelley, Wm., May 19, 1897, excise.
Kelley, Thomas, December 7, 1897, excise.
Kelley, Thomas, December 30, 1895, excise.

Kramer, Frank C. (2), April 25, 1895, excise.
Knoll, Casper, December 20, 1895, excise.
Kindergan, John, December 21, 1895, excise.
Kenneally, Timothy, December 16, 1895, excise.
Kilgannon, Thomas, December 17, 1895, excise.
Lally, Michael, February 20, 1891, assault, first.
Levy, Julia, et al., June 25, 1894, misdemeanor.
Lorch, Charles H., December 4, 1893, misdemeanor.
Lewis, Augustus, December 13, 1898, grand larceny, first.
Le Clair, Adele, December 5, 1898, grand larceny, second.
Lubiner, Jacob, January 30, 1894, grand larceny, second.
Lisberger, Malcolm, November 27, 1897, pettit larceny.
Lovell, Wm., et al., June 29, 1896, pool selling.
Leland, Warren F., February 10, 1899, violation of sanitary code.
Lebcke, Christian, December 23, 1897, liquor tax.
Loder, Sarah E., November 11, 1897, liquor tax.
Lynch, John, October 26, 1894, excise.
Luhring, Wm. A., May 21, 1895, excise.
Lupowitz, Wm., October 31, 1895, excise.
Ling, Cyrus, January 30, 1896, excise.
Lustig, Abraham, May 28, 1897, excise.
Louis, Harry, January 28, 1896, excise.
Lursen, Christian, February 24, 1894, excise.
Lyons, James, January 20, 1896, excise.
Leinhan, Patrick, December 17, 1897, excise.
Lohman, John D., May 25, 1897, excise.
Lee, Edward, January 20, 1896, excise.
Lenz, Albert, January 20, 1896, excise.
McComb, David, October 8, 1894, assault, first.
McCoy, Elijah, December 5, 1898, assault, first.
McKenna, James, June 2, 1892, assault, third.
McManus, Philip, December 18, 1894, grand larceny, first.
McCarthy, John, April 27, 1898, petit larceny.
McCormack, Thomas, January 12, 1892, disorderly house.
McCarthy, Wm. F., March 14, 1894, manslaughter.

McCormack, John, August 16, 1888, manslaughter.
McDonald, Edward, October 29, 1895, excise.
McCarthy, John, December 11, 1895, excise.
McGinty, Joseph, et al., August 28, 1895, excise.
McIntyre, Hubert W., January 20, 1896, excise.
McMahon, James, December 13, 1895, excise.
McMahon, Joseph, February 24, 1896, excise.
McDonagh, John, June 11, 1896, excise.
McElvaney, James, February 24, 1896, excise.
McGowan, John, February 29, 1896, excise.
McLoughlin, Thomas, January 16, 1896, excise.
McCarthy, Timothy, November 15, 1895, excise.
McArdie, James, May 21, 1897, excise.
McGrath, Thomas B., January 29, 1895, excise.
McGerr, Patrick, May 20, 1897, excise.
Murphy, Nellie, March 23, 1893, assault, first.
Martin, John, March 21, 1898, assault, second.
Masche, Christopher H. G., March 29, 1894, conspiracy.
Moog, George C., June 5, 1896, gambling house.
Moore, Arthur, et al., January 3, 1896, pool selling.
Meehan, Wm. F., June 19, 1893, obscene book.
Mallon, James, June 2, 1897, felony.
Myer, Clarence, July 28, 1896, forgery, second.
Marx, Louis, May 23, 1895, receiving.
Marx, Morris B., et al., November 30, 1897, grand larceny, first.
Montari, Oscar, June 2, 1897, grand larceny, second.
Matteson, George, February 11, 1897, grand larceny, second.
Middleton, Roy, May 25, 1898, grand larceny, second.
Muehenthal, Felix, June 2, 1897, grand larceny, second.
Murray, James, September 30, 1895, manslaughter, first.
Merrill, Elizabeth, December 11, 1896, disorderly house.
Moran, Wm., October 18, 1898, misdemeanor.
Morrison, Andrew P., et al., June 18, 1897, bucket shop.
Mallek, Joseph, May 19, 1896, liquor tax.
Malone, John, June 27, 1897, liquor tax.
Metz, Frederick, June 28, 1897, liquor tax.

Maldochnio, Antonio, August 28, 1898, liquor tax.
Meagher, James, A., et al., December 3, 1896, liquor tax.
Miller, Michael, June 21, 1897, liquor tax.
Moran, John, April 14, 1898, grand larceny, second.
Metzger, Bernard, August 19, 1896, forgery, first.
Martin, John, April 24, 1898, excise.
Miller, Samuel, February 18, 1896, excise.
Michels, August, January 30, 1896, excise.
Moore, Wm., October 3, 1895, excise.
Moller, Hermann, et al., April 9, 1897, excise.
Martin, Nicholas, January 29, 1896, excise.
Murphy, Michael, December 27, 1897, excise.
Morrison, Daniel, October 3, 1895, excise.
Madden, Thomas F.., October 23, 1895, excise.
Mahan, Richard J., May 21, 1897, excise.
Murphy, Michael J., December 9, 1895, excise.
Meeman, Peter, December 10, 1895, excise.
Merk, Herman, January 30, 1896, excise.
Meean, Patrick, December 10, 1895, excise.
Mesinet, Emile, November 14, 1895, excise.
Myers, Excise Commissioner, October 10, 1894, excise.
Maass, Alfred, September 13, 1894, excise.
Marlek, Joseph, May 19, 1896, excise.
Miller, Charles, January 2, 1895, excise.
Messinger, Elizabeth, June 26, 1896, excise.
Murphy, Charles, May 14, 1897, excise.
Madden, James, May 25, 1897, excise.
Mockler, Alfred, May 21, 1897, excise.
Mardorf, Henry, February 24, 1896, excise.
Muctenick, Leon, January 16, 1896, excise.
Malcher, Charles, December 17, 1895, excise.
Meehan, Patrick, June 16, 1897, excise.
Murphy, William, May 14, 1897, excise.
Mundt, Max, January 16, 1896, excise.
Moynahan, Patrick, November 15, 1895, excise.
Morse, James, January 30, 1896, excise.

Murray, Frank, December 23, 1895, excise.
Noltem, Louis, September 24, 1894, grand larceny, first.
Noblett, Ed. A., October 18, 1894, grand larceny, second.
Nellis, Dora H., July 23, 1897, grand larceny, second.
Noon, Thomas, et al., November 20, 1896, robbery, first.
Noah, Lionel J., March 10, 1893, forgery, first.
Newman, Ed M. (7), August 11, 1887, forgery, second.
Neage, Joseph, May 21, 1897, excise.
Noolon, Dennis, December 17, 1895, excise.
Nagal, Martin, October 3, 1895, excise.
Nixon, George H., May 21, 1897, excise.
Newton, Nellie, May 21, 1897, excise.
Niguy, Ed., March 22, 1895, excise.
Oberle, Jos. November 12, 1891, assault, second.
Oleary, Denis, November 29, 1895, murder, first.
O'Connor James, June 7, 1897, gambling house.
O'Connor, Michael, January 16, 1896, excise.
O'Reilly, Patrick, May 20, 1897, excise.
Offermann, Henry, May 28, 1897, excise.
O'Reilly, Patrick F., November 18, 1895, excise.
O'Neil, Denis, December 13, 1895, excise.
O'Rourke, Patrick, February 24, 1896, excise.
O'Beirne, Wm. K., January 16, 1896, excise.
Pyle, Chas. J., December 20, 1898, assault, first.
Peasley, Chas. W., March 27, 1896, forgery, second.
Price, Annie, December 14, 1897, grand larceny, first.
Perry, Wm. W., January 30, 1896, grand larceny, second.
Palmeri, Luigi, July 20, 1897, grand larceny, second.
Parson Fred H., July 17, 1896, grand larceny, second.
Purdy, Ambrose H., et al., December 31, 1896, extortion.
Price, Barnard L., October 23, 1896, misdemeanor.
Palmeri, Andrew, October 31, 1895, abduction.
Prennsell, Julius, May 29, 1896, liquor tax.
Piggott, John J., May 12, 1897, liquor tax.
Petry, Frank A., May 21, 1897, excise.
Piena, Guisseppi, May 19, 1897, excise.

Pfister, Charles, April 29, 1895, excise.
Pfeiffer, Carl, December 20, 1895, excise.
Pickett, John, Dcember 20, 1895, excise.
Peace, Alfred J., January 17, 1895, excise.
Pinggera, Leonhard, June 17, 1896, excise.
Quirk, Richard, December 3, 1896, liquor tax.
Quintern, Ed., May 25, 1896, liquor tax.
Quinn, Michael J., February 11, 1896, excise.
Romero, Joseph, January 14, 1898, assault, first.
Reddington, Richard, January 30, 1896, assault, third.
Ryley, James H., July 20, 1898, attempted burglary, second.
Rockwood, Warren A., May 1, 1894, grand larceny, first.
Rice, James, October 8, 1897, grand larceny, first.
Robertson, Wm., February 17, 1898, grand larceny, second.
Raftry, Tim, December 15, 1893, grand larceny, second.
Rice, John, December 7, 1896, disorderly house.
Ratcliffe, E. J., January 26, 1898, perjury.
Ryan, Leslie, October 29, 1897, perjury.
Rosenstein, Bernard, November 1, 1894, fraudulent removal.
Rodden Patrick, July 23, 1896, liquor tax.
Rosenthal, Max, June 10, liquor tax.
Ray, Carry R., November 15, 1897, liquor tax.
Roader, Geo., September 27, 1898, liquor tax.
Reginer, Lena, May 21, 1897, excise.
Ryan, Thomas, May 28, 1897, excise
Rademacher, Herman, May 14, 1897, excise.
Rafferty, Daniel, October 1, 1895, excise.
Ryan, Lawrence, December 17, 1895, excise.
Ryan, Daniel, May 20, 1895, excise.
Reilly, Joseph J., January 23, 1896, excise.
Reilly, Patrick, January 21, 1895, excise.
Redmond, Denis, February 26, 1896, excise.
Reiger, Anthony, February 6, 1896, excise.
Stephenson, Fewson, et al., April 27, 1898, assault, third.
Shrady, George, February 3, 1898, assault, third.
Sweeney, Andrew, et al., April 28, 1897, assault, second.

Stumpf, Wm., May 11, 1898, assault, second.
Shea, James, May 3, 1897, book making.
Spargur, R. E. W., October 2, 1896, bigamy.
Selikovitsch, G., et al., May 22, 1890, libel.
Scherck, Nahum L., March 29, 1895, libel.
Smith, Henry A., January 21, 1896, grand larceny, first.
Smith, Sophia C. (2), November 13, 1895, grand larceny, second.
Smith, Charles, April 26, 1899, grand larceny, second.
Stern, Harry, September 13, 1898, grand larceny, second.
Strong, Chas. H., August 23, 1897, grand larceny, second.
Sutton, Thos. E., December 9, 1895, petit larceny.
Schancks, James, February 28, 1896, perjury.
Seeley, Herbert S., et al., January 27, 1897, misdemeanor.
Straus, Isidor, et al., February 26, 1897, misdemeanor.
Stettler, John A., December 18, 1896, misdemeanor.
Schaffer, Severus, January 21, 1895, felony.
Shultze, Edward, May 25, 1896, liquor tax
Spikwake, Heyman (2), June 17, 1896, liquor tax.
Smith, Frederick, June 18, 1897, liquor tax.
Solischer, Joseph, December 17, 1895, excise.
Stephen, Hermann, December 27, 1895, excise.
Shanley, John, January 27, 1896, excise.
Seyforth, Chas., December 13, 1895, excise.
Schneider, George, January 3, 1896, excise.
Stewart, John E., May 21, 1897, excise.
Seevers, Wm., January 20, 1896, excise.
Stanton, Michael, January 30, 1896, excise.
Sullivan, Mort, December 13, 1895, excise.
Sullivan, Denis, December 14, 1895, excise.
Smith, John, February 26, 1896, excise.
Scnitzer, John, March 29, 1895, excise.
Schuff, John, June 2, 1892, excise.
Sullivan, Jeremiah, December 20, 1895, excise.
Soden, James, December 30, 1895, excise.
Steiner, Simon, May 26, 1892, excise.

Saltzer, Harris, May 20, 1897, excise.
Smith, Terrence, May 21, 1897, excise.
Smith, Hugh, May 21, 1897, excise.
Schindler, Charles, May 28, 1897, excise.
Sachs, Jacob, May 28, 1897, excise.
Sullivan, Marion, March 15, 1894, excise.
Schroeder, John, December 17, 1895, excise.
Steele, John S., December 17, 1895, excise.
Taylor, Clarence P., June 26, 1898, assault, first.
Turnbull, Wm. B., November 2, 1896, grand larceny, first.
Thormanien, Charles, April 23, 1897, liquor tax.
Thompson, Fred, December 27, 1895, excise.
Taffe, James, January 21, 1896, excise.
Tiger, Fannie, January 27, 1896, excise.
Trainor, Owen, May 2, 1897, excise.
Tannenbaum, Max, January 22, 1896, excise.
Thebache, Emile, February 26, 1896, excise.
Ullman, Jas. F. et al., May 17, 1897, bookmaking.
Urnstein, Isidor, January 17, 1895, excise.
Van Brunt, Thomas C., February 11, 1895, grand larceny, first.
Vogel, Paul, October 26, 1897, petit larceny.
Warren, William, October 26, 1897, assault, second.
Ward, John, et al., February 9, 1893, tapping telegraph wire.
Wellemer, Anton, March 24, 1897, disorderly house.
White, David, November 12, 1897, false registration.
Woodley, Henry, May 18, 1897, bribery.
Weyrauch, Wm., August 28, 1896, liquor tax.
Waldron, May, December 21, 1897, liquor tax.
Weisel, Sarah, April 29, 1897, liquor tax.
Walsh, Patrick, November 14, 1895, excise.
Wolff, George A., October 4, 1895, excise.
Waiyer, Wenzel, May 17, 1892, excise.
Wels, Henry F., April 29, 1895, excise.
Waldman, Chas., December 23, 1895, excise.
Wolf, Wm., May 20, 1897, excise.
Wolf, Wm. N., August 27, 1896, grand larceny first.

Ward, Peter, December 24, 1896, misdemeanor.
Yamm, Harry, December 17, 1895, misdemeanor.
Zeeman, Barney L., November 14, 1895, excise.

LIST OF CASES PARTLY UNDISPOSED OF.

Pendleton, Wm. F., March 24, 1898, grand larceny first.
Haupt, Tony, et al., March 2, 1898, liquor tax.

Mr. Moss—Then you furnished this list of fourteen cases dismissed in the criminal branch of the Supreme Court, from January 1, 1898, to May 15, 1899, did you not?

The Witness—Yes, sir.

Mr. Moss—I will offer that list in evidence.

The following is a copy of list referred to:

SUPREME COURT (CRIMINAL BRANCH) INDICTMENTS DISMISSED IN COURT FROM JANUARY 1, 1898, TO MAY 15, 1899.

Beardsley, H. W., et al., February 8, 1894, grand larceny first.
Robinson, Joseph, April 9, 1897, grand larceny first.
Mercy, Joseph, March 10, 1897, grand larceny second.
Duke, James B., et al., May 29, 1896, misdemeanor.
Duke, James B., May 7, 1896, misdemeanor.
Henerson, John C., April 29, 1898, robbery and extortion.
Hoey, Robert, et al., May 13, 1898, murder first.
Hagan, Adam, April 22, 1898, murder first.
Kurlinsky, Beckie, September 29, 1896, liquor tax.
Lennon, Wm. F., October 31, 1895, manslaughter second.
Robinson, Joseph, March 17, 1897, receiving.
Robinson, Joseph, September 8, 1896, receiving.
Weed, Gilbert N., et al., February 26, 1895, manslaughter first.
Webster, Jacob, May 11, 1891, assault second.

Q. And you furnish this list of cases of bail discharges from the Court of General Sessions, January 1, 1898, to May 15, 1899, 1,372 cases, where the defendant was discharged on his own recognizance, do you not? A. That list was furnished by our office.

Mr. Moss—I will offer this list in evidenec. The following is a copy of the list referred to, giving name, date of indictment, offence and date of discharge:

Adams, May, March 24, 1898, grand larceny first, March 30, 1898.

Allen, Kate, August 16, 1898, grand larceny first, August 22, 1898.

Adler, Samuel J. K., February 26, 1895, grand larceny first, December 12, 1898.

Ackerman, Adam, October 24, 1898, grand larceny second, December 29, 1898.

Armenino, Vincent, June 14, 1898, grand larceny second, November 21, 1898.

Ackerman, Bernard L., December 4, 1896, grand larceny second, July 11, 1898.

Albert, Martin, March 15, 1898, grand larceny second, April 24, 1899.

Albinger, Frank E., February 1, 1898, grand larceny second, June 8, 1898.

Arnold, Dora April 11, 1898, assault first, December 14, 1898.

Adler, Philip, January 10, 1898, assault second, November 21, 1898.

Ayoob, Joseph, November 11, 1897, assault third, April 7, 1898.

Axelrod, Peter, December 21, 1894, assault third, October 19, 1898.

Aisel, Irving B., April 3, 1895, forgery second, February 28, 1898.

Ames, Joseph G., April 30, 1897, burglary third, April 12, 1898.

Arcinto, Giovanni, April 6, 1898, burglary third, April 7, 1898.

Allen, Hyman, December 14, 1897, receiving, January 7, 1898.

Atwannick, Isaac, August 20, 1884, receiving, February 14, 1898.

Avener, Wolff, May 26, 1896, attempted extortion, May 9, 1898.

Alfani, Enrico, November 1, 1898, false registration, December 14, 1898.

Attias, Mesod H., March 29, 1895, misdemeanor, February 25, 1898.

Alexander, Samuel, April 21, 1897, gambling, June 22, 1898.

Anderson, Joseph, January 17, 1894, gambling November 30, 1898.

Ahearn, William, June 19, 1894, gambling, March 30, 1898.

Adams, Charles F., September 12, 1894, pool selling, May 13, 1898.

Anderson, Charles, May 10, 1892, pool selling, January 5, 1899.

Adelman, Adolph, January 21, 1895, pool selling, May 2, 1898.

Allen, Ida, February 28, 1898, disorderly house, November 15, 1898.

Apistorf, Clara, October 26, 1897, disorderly house, April 14, 1898.

Bellois, Donatta, October 21, 1898, assault first, January 27, 1899.

Bawman, Benjamin, October 15, 1894, assault first, June 9, 1898.

Beall, George, October 21, 1898, assault first, March 2, 1899.

Burnes, Thomas, February 3, 1898, assault first, April 7, 1898.

Bouquett, August, December 21, 1897, assault first, May 9, 1898.

Burell, Walter, January 26, 1899, assault, first, March 28, 1899.

Burnes, William, July 20, 1898, assault first, September 14, 1898.

Barandon, John, April 30, 1897, assault first, December 23, 1897.

Baker, Mary, October 26, 1897, assault first, February 8, 1898.

Budhi, Gaetano, August 8, 1895, assault first, January 4, 1899.

Burnes, Bernard, September 26, 1895, assault first, November 21, 1898.

Brickman, Harris, March 22, 1897, assault first, February 28, 1898.

Burell, Walter, September 21, 1898, assault first, October 18, 1898.

Benilltirie, Tony, April 29, 1898, assault first, June 29, 1898.

Becker, John P., June 28, 1895, assault first, February 23, 1898.

Burke, Wm. F., April 22, 1887, assault first, February 14, 1898.

Berdie, Jacob, January 30, 1894, assault first, February 16, 1898.

Burton, Andrew, March 21, 1895, assault, first, February 15, 1898.

Bizar, Angello M., May 13, 1898, assault, first, May 27, 1898.

Bour, John P., February 18, 1898, assault, first, April 5, 1898.

Bahler, Hermann, March 9, 1899, assault, second, March 23, 1899.

Barry Lawrence, March 17, 1898, assault, second, April 20, 1898.

Barnett, David, October 3, 1895, assault, second, February 23, 1898.

Bernstein, Jacob, July 3, 1895, assault, second, March 11, 1898.

Broderick, William, October 10, 1895, assault, second, April 6, 1898.

Butler, Luke, February 4, 1897, assault, second, April 13, 1898.

Bird, Robert F., March 18, 1898, assault, second, March 25, 1898.

Bohme, Henry, October 15, 1894, assault, second, February 14, 1898.

Broky, Selig, July 6, 1894, assault, second, April 28, 1898.

Beltinger, Abraham, November 5, 1897, assault, third, January 19, 1899.

Berlotti, Mary G., June 28, 1897, assault, third, June 28, 1898.

Burke, Dugan, March 14, 1895, assault, third, February 14, 1898.

Baker, Frank, January 13, 1898, grand larceny, first, March 28, 1898.

Brush, Geo. S., February 28, 1895, grand larceny, first, February 28, 1898.

Baker, Mollie B., August 22, 1898, grand larceny, first, September 28, 1898

Billings, Wm. H., April 18, 1898, grand larceny, first, April 25, 1898.

Bauer, Maurice, January 29, 1897, grand larceny, first, October 13, 1898.

Brie, Amil H., April 1, 1896, grand larceny, first, December 28, 1898.

Bernard, John, December 24, 1895, grand larceny, second, March 31, 1898.

Baron, Barnett, May 13, 1898, grand larceny, second, May 23, 1898.

Barker, Harry, May 18, 1898, grand larceny, second, May 20, 1898.

Berger, Jacob, November 30, 1898, grand larceny, second, December 7, 1898.

Barnes, Edward, October 31, 1898, grand larceny, second, December 23, 1898.

Burch, David R., March 9, 1898, grand larceny, second, March 25, 1898.

Baldi, Giovani, March 23, 1898, grand larceny, second, August 22, 1898.

Brady, Arthur C., November 15, 1894, grand larceny, second, January 25, 1899.

Brandt, Charles, March 2, 1898, grand larceny, second, May 11, 1898.

Brady, James T., April 7, 1899, grand larceny, second, April 10, 1899.

Bassen, Henry, May 11, 1894, grand larceny, second, June 15, 1898.

Burke, Frank, October 4, 1898, grand larceny, second, October 24, 1898.

Byrnes, James H., April 29, 1898, grand larceny, second, June 7, 1898.

Brown, Wm. F., April 30, 1896, grand larceny, second, January 31, 1899.

Bonner, Albert, December 16, 1897, grand larceny, second, February 18, 1898.

Block, Harry, October 4, 1898, grand larceny, second, October 7, 1898.

Burgemcht, Joseph, March 29, 1898, petit larceny, May 2, 1898.

Bateman, Richard, June 7, 1897, petit larceny, May 11, 1899.

Beecher, Leon J., February 14, 1898, petit larceny, June 14, 1898.

Bishop, William E., January 9, 1895, petit larceny, April 28, 1899.

Bergen, Samuel, February 10, 1898, petit larceny, February 28, 1898.

Brown, Wm. A., February 17, 1898, forgery, second, February 24, 1898.

Bloch, Max, April 14, 1898, forgery, second, April 27, 1898.

Belchatosky, Aron, September 16, 1898, forgery, second, September 21, 1898.

Bowe, Joseph, October 31, 1898, robbery, first, December 8, 1898.

Barrett, Frank, September 28, 1898, robbery, second, October 14, 1898.

Byrnes, Joseph, March 23, 1898, robbery, second, May 10, 1898.

Bernstein, Maurice, October 18, 1894, receiving, March 28, 1898.

Bonaface, Bonfird, April 1, 1896, extortion, April 22, 1898.

Barso, George, June 27, 1898, extortion, July 14, 1898.

Byrnes, William C., August 13, 1889, felony, March 14, 1898.

Beck, Samuel, April 24, 1896, felony, August 2, 1898.

Becker, Caroline, April 23, 1894, felony, January 25, 1899.

Bruner, Frederick, July 8, 1895, felony, May 18, 1898.

Baum, Simon (two cases), December 20, 1895, gambling, June 24, 1898.

Brusak, Joseph, June 27, 1894, gambling, April 14, 1898.

Buchner, David, October 13, 1891, gambling, November 15, 1898.

Barth, Gabriel, March 2, 1899, abduction, May 4, 1899.

Bihlman, Matthew, May 6, 1897, liquor tax, July 11, 1898.

Barlegs, Henry, November 12, 1897, false registration, November 29, 1898.

Breakstone, Joseph, April 30, 1897, adulterated milk, November 30, 1898.

Burhardt, Michael, October 25, 1898, injury to property, October 28, 1898.

Becker, Bartel, June 21, 1898, injury to property, September 14, 1898.

Barth, Joseph C., January 28, 1898, injury to property, February 11, 1898.

Bellochie, Andrew, December 22, 1893, assault, second, May 2, 1898.

Bennett, Aug., September 10, 1894, pool, January 5, 1899.

Brown, George, June 14, 1899, grand larceny, second, June 15, 1899.

Barnett, Clarence, October 4, 1895, forgery, second, June 21, 1898.

Brennen, Matthew T., June 7, 1898, forgery, third, June 21, 1898.

Barker, Thomas C., June 21, 1892, forgery, third, April 15, 1898.

Bostchard, Jacob, January 26, 1899, perjury, January 31, 1899.

Bernstein, Isaac, June 29, 1897, perjury, June 17, 1898.

Brommes, John, February 27, 1899, bigamy, April 18, 1899.

Bantro, Adam F., March 29, 1895, libel, January 24, 1899.

Buchler, Louis, March 15, 1897, disorderly house, June 10, 1898.

Brown, Frankie, April 15, 1897, disorderly house, May 5, 1898.

Blackstone, Emma, June 9, 1897, disorderly house, February 14, 1898.

Bucki, Gaëtano, August 8, 1895, disorderly house, January 4, 1899.

Brassel, Patrick, October 5, 1894, disorderly house, June 10, 1898.

Buchler, Louis, November 29, 1895, disorderly house, June 10, 1898.

Buermann, Charles, April 28, 1897, misdemeanor, June 24, 1898.

Bartholf, George Z., December 22, 1893, misdemeanor, November 23, 1898.

Borry, John, March 24, 1896, misdemeanor, December 29, 1898.

Bartholf, George Z., December 22, 1893, misdemeanor, March 30, 1899.

Bell, Evelyn, December 7, 1894, misdemeanor, March 30, 1899.

Baker, James, March 22, 1893, pool selling, May 13, 1898.

Barnard, Thomas M., August 1, 1895, pool selling, May 13, 1898.

Bayliss, Samuel, May 23, 1892, pool selling, January 5, 1899.

Blakeley, Charles, August 28, 1894, pool selling, April 15, 1898.

Brooks, Wm. J., September 12, 1894, pool selling, January 5, 1899.

Bartlett, James, April 28, 1898, burglary, second, June 8, 1898.

Burke, Thomas, January 31, 1899, burglary, third, February 15, 1899.

Barrett, John, January 19, 1894, burglary, third, November 21, 1898.

Bahler, John J., March 25, 1898, burglary, third, May 9, 1898.

Brinkworth, Walter, October 17, 1898, burglary, third, October 21, 1898.

Beck, Maurice, January 10, 1896, burglary, third, November 15, 1898.

Buckley, Andrew, February 21, 1899, robbery, first, March 16, 1899.

Burns, Thomas, September 15, 1898, robbery, first, October 14, 1898.

Cleary, Daniel, November 30, 1898, assault, first, December 14, 1898.

Clark, Frank J., May 15, 1891, assault, first, June 13, 1898.

Chalmers, John, December 2, 1892, assault, first, March 18, 1898.

Connolly, Jeremiah M., March 10, 1898, assault, first, January 31, 1899.

Cortese, Pasquale, June 24, 1898, assault, first, May 4, 1899.

Cuddy, James, April 15, 1891, assault, first, May 27, 1898.

Conroy, John, April 18, 1898, assault, first, April 22, 1898.

Casey, John, May 27, 1895, assault, first, February 20, 1899.

Crotty, Henry C., December 12, 1898, assault, first, January 12, 1899.

Cogglien, Edward, November 23, 1898, assault, first, December 13, 1898.

Casey, David, February 16, 1898, assault, first, January 23, 1899.

Calahan, James, December 5, 1898, assault, second, December 21, 1898.

Clews, Joseph, June 18, 1895, assault, second, January 17, 1899.

Carpenotes, Christ, January 26, 1899, assault, second, February 1, 1899.

Cryan, John J., September 19, 1895, assault, second, February 17, 1898.

Calahan, John J., January 20, 1896, assault, second, May 26, 1898.

Carney, William, January 17, 1898, assault second, February 8, 1898.

Cordes, Harry, November 29, 1897, assault, second, May 17, 1898.

Cahill, Wm. J., September 30, 1895, assault, third, June 13, 1898.

Chemp, Louis, January 31, 1898, burglary, third, February 23, 1899.

Cross, Frank, March 16, 1899, burglary, third, March 23, 1899.

Casidy, Luke F., February 23, 1899, burglary, third, March 30, 1899.

Collins, Matthew, September 22, 1898, burglary, third, September 29, 1898.

Cassamassino, Frank, January 27, 1899, burglary, third, January 31, 1899.

Colanttic, Peter, February 24, 1899, burglary, third, April 4, 1899.

Courtney, Thomas, June 7, 1898, burglary, third, June 14, 1898.

Carroll, William, December 28, 1898, burglary, third, January 4, 1899.

Clark, Frank, January 27, 1899, section 564. Penal Code, May 9, 1899.

Clark, Frank, February 9, 1899, section 528, Penal Code, May 9, 1899.

Carle, Jos., August 28, 1894, assault, first, May 27, 1898.

Clark, Geo. et al., June 27, 1898, grand larceny, second, August 1, 1898.

Clark, Ewen W., May 18, 1898, grand larceny, first, January 19, 1899.

Curley, John J., March 30, 1899, grand larceny, first, April 11, 1899.

Cronin, Charles G., November 1, 1893, grand larceny, February 23, 1898.

Chapman, James A. (two cases), November 1, 1898, grand larceny, first, January 9, 1899.

Cowrey, Francis H., September 18, 1898, grand larceny, first, March 27, 1899.

Cowan, James F., November 19, 1897, attempt grand larceny, first, August 3, 1898.

Cain, Peter, November 16, 1898, grand larceny, second, November 23, 1898.

Cox, John W., March 11, 1893. grand larceny, second, June 17, 1898.

Collins, William J., November 30, 1898, grand larceny, second, December 6, 1898.

Cochran, Peter, April 13, 1899, grand larceny, second, April 19, 1899.

Conroy, Charles J., June 5, 1895, grand larceny, second, June 13, 1898.

Cohn, Herman, January 24, 1890, grand larceny, second, April 14, 1899.

Callahan, Patrick, October 24, 1898, grand larceny, second, October 27, 1898.

Cohen, Max, July 31, 1894, grand larceny, second, March 29, 1898.

Caplon, Isaac, June 30, 1896, grand larceny, second, September 20, 1898.

Callahan, John M., April 28, 1898, grand larceny, second, May 9, 1898.

Cassidy, James, March 15, 1899, grand larceny, second, April 6, 1899.

Conners, Patrick, July 12, 1898, grand larceny, second, July 19, 1898.

Cochran, John J., September 7, 1898, grand larceny, second, September 12, 1898.

Caltan, Michael, January 13, 1898, petit larceny, January 24, 1898.

Cooper, Alfred, February 3, 1898, petit larceny, April 5, 1898.

Carler, William H., March 2, 1898, petit larceny, June 14, 1898.

Christie, Francis, September 30, 1894, forgery, second, October 20, 1898.

Cox, William R., February 23, 1899, forgery, second, April 17, 1899.

Curtis, John W., December 21, 1894, forgery, second, April 4, 1898.

Clark, Wm. F., October 1, 1897, forgery, second, February 10, 1898.

Cox, John W., November 28, 1892, forgery, second, March 20, 1899.

Carrare, William, November 30, 1898, forgery, second, December 19, 1898.

Coleman, Mathew, January 11, 1894, forgery, third, September 7, 1898.

Cumisky, Thomas, December 14, 1898, robbery, first, January 26, 1899.

Collins, Albert, November 5, 1897, robbery, first, April 14, 1898.

Carbone, John, November 30, 1898, robbery, second, February 9, 1899.

Cody, John H., May 23; 1898, robbery, second, June 15, 1898.

Conners, Peter, November 24, 1896, misdemeanor, March 14, 1898.

Cooley, Hollis E., June 10, 1897, misdemeanor, October 21, 1898.

Chee, Joe, March 12, 1896, misdemeanor, November 21, 1898.

Canale, Louis (nine cases), March 27, 1896, misdemeanor, December 28, 1898.

Cohen, Joseph, December 21, 1897, disorderly house, June 15, 1898.

Casbin, James, August 28, 1896, disorderly house, May 13, 1898.

Chinsitska, Johanna, March 25, 1897, disorderly house, January 10, 1898.

Carrigallo, Frank, September 19, 1894, receiving, May 27, 1898.

Cudmore, Charles, November 30, 1898, receiving, December 8, 1898.

Cohen, Jacob, November 2, 1894, false registration, December 20, 1898.

Cohen, Israel, November 2, 1894, false registration, December 8, 1898.

Conway, John, November 1, 1894, false registration, June 8, 1898.

Costello, James, November 2, 1894, false registration, June 8, 1898.

Cassidy, Patrick S., October 30, 1894, libel, June 7, 1898.

Cecil, Thomas, December 22, 1892, libel, March 30, 1899.

Cullon, Peter, January 14, 1896, injuring property, June 9, 1898.

Cain, Edward (two cases), April 25, 1898, injuring property, April 26, 1898.

Coxe, Franklin, Jr., February 23, 1897, perjury, January 11, 1899.

Ciambelli, Bernardo, May 5, 1891, perjury, January 19, 1899.

Cooley, Edward P., June 19, 1894, felony, March 28, 1898.

Coleman, H., March 22, 1889, bribery, March 30, 1899.

Cuti, Rosina, December 21, 1897, misdemeanor, May 26, 1898.

Cane, Abram, September 17, 1895, felony, April 5, 1898.

Coutney, John J., November 22, 1897, misdemeanor, December 7, 1898.

Carleton, Frank, December 6, 1892, conspiracy, February 24, 1898.

Christ, Walter, March 9, 1897, liquor tax, April 12, 1898.

Crawford, Charles, August 13, 1895, poll selling, January 6, 1899.

Carroll, William, December 30, 1896, policy, March 30, 1899.

Chong Hong, May 29, 1895, gambling, April 6, 1898.

Carneveli, Rocco, April 11, 1898, abduction, May 5, 1898.

Conrad, Edward E., September 19, 1894, felony, December 22, 1898.

Cohen, Charles, June 8, 1898, arson, first, May 3, 1899

Dunn, Frank, April 21, 1898, murder, first, March 23, 1899.

Di Piazzo, Carlo, March 15, 1898, murder, first, June 6, 1898.

Debow, Richard, December 21, 1898, assault, first, May 15, 1899.

Davenport, William, March 8, 1899, assault, first, May 9, 1899.

Dillon, John, April 14, 1892, asault, first, May 5, 1898.

Damabre, Simeon, November 2, 1898, assault, first, December 6, 1898.

Downes, James, May 23, 1894, assault, first, March 28, 1898.

Doyle, John B., February 7, 1895, assault, first, May 2, 1898.

Damia, Gaetano, May 28, 1895, assault, first, May 3, 1898.

Dohan, Alfred P., July 13, 1897, assault, first, June 14, 1898.

Drwas, Peter, September, 14, 1898, assault, first, November 1, 1898.

Donato, John, December 13, 1895, assault, first, March 31, 1898.

Dovison, Thomas, November 29, 1897, assault, first, April 5, 1898.

Doyle, Patrick, September 23, 1892, assault, first, April 29, 1898.

Dietz, Albert, August 15, 1895, assault, third, February 16, 1899.

Duffy, Michael J., April 9, 1897, assault, third, March 14, 1898.

Dolan, Robert, October 4, 1895, assault, third, May 5, 1898.

Di Angelo, Dominico, August 10, 1898, robbery, first, December 19, 1898.

Dunn, Jeremiah, May 10, 1893, robbery, first, May 2, 1898.

Dolan, John, February 1, 1898, robbery, second, October 7, 1898.

Day, John, February 11, 1898, burglary, third, March 7, 1898.

Dooley, William, April 5, 1898, burglary, third, April 11, 1898.

Dargan, Edward, July 14, 1898, burglary, third, August 3, 1898.

Dowdell, Patrick, August 3, 1898, burglary, third, August 8, 1898.

Donavan, Andrew, December 24, 1897, burglary, third, January 3, 1898.

Doyle, Philip, September 12, 1898, burglary, third, October 3, 1898.

Desmond, May, April 10, 1899, grand larceny, first, April 27, 1899.

Daly, John, May 20, 1895, grand larceny, first, October 13, 1898.

Dex, William, March 25, 1898, grand larceny, first, April 5, 1898.

Dufon, Susan, June 9, 1898, grand larceny, first, June 17, 1898.

Dolan, John, December 13, 1897, grand larceny, first, January 14, 1898.

Donohue, Thomas, January 18, 1899, grand larceny, first, April 12, 1899.

Davis, James, January 23, 1899, grand larceny, first, February 10, 1899.

Dorsey, John, May 25, 1897, grand larceny, first, January 19, 1899.

Dunlon, James, December 28, 1898, grand larceny, first, January 13, 1899.

Dickert, Samuel, November 21, 1898, grand larceny, first, December 6, 1898.

Daly, John J., May 11, 1898, grand larceny, second, June 16, 1898.

Donovan, Patrick, September 13, 1898, grand larceny, second, September 16, 1898.

Dornbusch, Charles E., May 23, 1898, grand larceny, second, December 5, 1898.

Davison, Leroy, January 26, 1899, grand larceny, second, February 7, 1899.

Dillon, Michael, October 11, 1898, grand larceny, second, November 4, 1898.

Dudley, John C., May 22, 1896, perjury, May 23, 1898.

Delisi, John, August 16, 1898, abduction, September 29, 1898.

Davis, George, September 29, 1898, felony, November 18, 1898.

Danforth, Floyd L., December 29, 1896, arson, May 11, 1898.

Davis, George Holt, January 31, 1896, libel, January 16, 1899.

Davis, Frank, October 22, 1897, petit larceny, April 7, 1898.

Dubois, Adele, April 29, 1896, disorderly house, May 18, 1898.

Davis, Samuel, April 21, 1897, disorderly house, March 15, 1898.

Dupree, Mary, January 31, 1894, disorderly house, April 5, 1898.

Dow, John, April 21, 1897, policy, February 21, 1899.

Dudley, John C., October 30, 1896, pool selling, April 25, 1898.

Deveille, William, June 23, 1892, pool selling, April 25, 1898.

Difigilo, Gaetono, June 9, 1897, receiving, March 30, 1898.

Droietzky, Samuel, March 17, 1898, receiving, April 27, 1898.

Danrauer, Nathan, February 7, 1894, receiving, April 4, 1898.

Doyle, Patrick, October 20, 1898, injury to property, October 28, 1898.

Doyle, Joseph, July 12, 1894, injury to property, April 26, 1898.

Decker, William H., November 2, 1893, false registration, December 20, 1898.

Docherty, David, November 5, 1897, false registration, April 12, 1898.

Desmond, Henry W., May 20, 1896, misdemeanor, November 29, 1898.

Doe, John, January 16, 1895, misdemeanor, May 2, 1898.

Darrah, John W., June 28, 1895, misdemeanor, May 2, 1898.

Dowling, William J., September 23, 1896, liquor tax, February 21, 1898.

Eisenburgh, Louis, October 25, 1894, assault, second, March 8, 1898.

Eiker, Thaddeus B., March 10, 1898, assault, third, April 22, 1898.

Eichm, George, May 16, 1898, assault, third, May 24, 1898.

Emerson, Frank, September 27, 1898, petit larceny, September 30, 1898.

Evans, Sadie, February 9, 1898, grand larceny, first, March 3, 1898.

Elias, Charles A., June 21, 1898, grand larceny, second, July 25, 1898.

Emanuel, Joseph, June 18, 1897, grand larceny, second, April 14, 1898.

Eisenbarth, Edward, October 26, 1894, grand larceny, second, April 13, 1898.

Ellis, Alvin, October 14, 1898, grand larceny, second, November 16, 1898.

Ensign, Andrew J., (3 cases), August 1, 1896, robbery, first, December 28, 1898.

Ellenstein, Michael, April 4, 1898, abduction, April 25, 1898.

England, Charles, April 16, 1895, robbery, first, June 7, 1898.

Edwards, Harry, May 24, 1892, pool selling, April 25, 1898.

Elliott, Walter, November 24, 1897, burglary, shop, July 18, 1898.

Erenberg, Abraham, November 15, 1897, gaming, April 25, 1898.

Forgotson, Morris J., December 15, 1897, assault, first, June 8, 1898.

Forlanza, Joseph, January 13, 1899, assault, first, March 15, 1899.

Flanagan, William, September 22, 1898, assault, first, October 31, 1898.

Farrell, John, March 15, 1898, assault, first, April 19, 1898.

Fogarty, William, March 24, 1898, assault, first, March 31, 1898.

Fitzgerald, Michael, June 17, 1898, assault, first, June 22, 1898.

Forcello, Arthur P., April 12, 1898, assault, first, April 19, 1898.

Ford, Thomas, April 25, 1899, assault, first, April 28, 1899.

Feddeck, John, May 15, 1895, assault, first, May 16, 1898.

Flynn, Owen, October 10, 1898, assault, first, August 17, 1898.

Flynn, Edward, April 21, 1898, assault, first, May 3, 1898.

Fortunato, Michael, July 30, 1891, assault, second, December 23, 1898.

Figan, Joseph, January 2, 1898, assault, second, August 4, 1898.

Fox, Edward W., April 28, 1897, assault, December 8, 1898.

Fernberg, Harris, October 12, 1897, assault, November 29, 1898.

Forrest, Alexander, October 14, 1897, assault, March 7, 1898.

Ferris, Robert, November 16, 1897, grand larceny, first, January 12, 1899.

Forrest, John, April 24, 1899, grand larceny, first, May 8, 1899.

Forest, William E., March 16, 1898, grand larceny, first, May 5, 1898.

Field, Edward M., (4 cases), December 2, 1891, grand larceny, first, January 4, 1899.

Faeth, John, October 24, 1892, attempt grand larceny, first, March 16, 1898.

Frick, Karl, March 7, 1898, attempt grand larceny, first, April 11, 1898.

Finnan, Thomas, October 18, 1898, attempt grand larceny, first, March 9, 1899.

Finn, Patrick, February 17, 1898, attempt grand larceny, first, March 30, 1898.

Forgotson, Solomon, June 24, 1898, attempt grand larceny, October 25, 1898.

Frank, Louis, November 27, 1895, grand larceny, second, January 4, 1898.

Flannenhoft, Louis, March 21, 1898, grand larceny, second, April 6, 1898.

Frank, William, February 7, 1899, attempt grand larceny, second, February 16, 1899.

Fortunato, Michael, October 27, 1890, grand larceny, second, December 27, 1898.

Faver, Carl, October 19, 1897, grand larceny, second, January 18, 1899.

Finnegan, Edward, April 8, 1895, attempt grand larceny, second, January 24, 1899.

Foster, Mary, January 11, 1899, grand larceny, second, January 31, 1899.

Frankenstein, Abraham, April 20, 1898, grand larceny, second, May 21, 1898.

Feinstein, Benjamin, January 6, 1898, grand larceny, second, December 8, 1898.

Ferris, Salvino, May 23, 1898, grand larceny, second, June 23, 1898.

Farley, James, June 2, 1898, attempt burglary, second, June 13, 1898.

Falvey, Michael, November 30, 1898, burglary, third, February 10, 1899.

Frahmer, Albert, September 21, 1898, burglary, third, October 12, 1898.

Fay, John, November 2, 1898, burglary, third, November 10, 1898.

Farrell, Raymond H., May 22, 1898, burglary, third, June 10, 1898.

Flynn, William, April 18, 1899, burglary, third, April 19, 1899.

Finstein, Isaac, January 31, 1894, burglary, third, May 9, 1898.

Flanagan, James, March 20, 1899, burglary, third, April 11, 1899.

Flanagan, Joseph, March 28, 1894, burglary, third, March 18, 1898.

Fitzsimons, Thomas, September 18, 1894, attempt robbery, second, March 25, 1898.

Frawley, Thomas, March 11, 1892, perjury, January 11, 1899.

Faulhater, William D., May 29, 1895, perjury, March 7, 1898.

Fitzpatrick, John D., June 25, 1895, forgery, second, March 7, 1898.

Field, Edward M. (2 cases), February 11, 1892, forgery, second, January 4, 1899.

Forbes, Charles F., October 31, 1898, grand larceny, second, January 5, 1899.

Frerer, Henry, March 11, 1898, felony, January 16, 1899.

Farber, Charles (5 cases), December 22, 1893, misdemeanor, November 23, 1898.

Fromberg, Wally, May 1, 1894, misdemeanor, January 25, 1899.

Ferminalla, John, October 22, 1895, misdemeanor, May 9, 1898.

Fasonello, Antonio, October 22, 1895, misdemeanor, May 9, 1898.

Feiblowich, Dora, April 15, 1897, disorderly house, February 17, 1898.

Fertile, Rossaro, August 31, 1897, disorderly house, May 20, 1898.

Fisher, Mamie, October 26, 1897, disorderly house, May 11, 1898.

Ford, George B., October 12, 1897, disorderly house, January 7, 1898.

Friedlander, Benjamin, April 15, 1897, adulterated milk, March 17, 1898.

Feinberg, Harris, October 26, 1897, adulterated milk, February 18, 1898.

Friedland, Abraham S., July 22, 1895, receiving, October 18, 1898.

Factor, Jennie, June 21, 1895, receiving, May 6, 1898.

Flatten, William H., January 29, 1894, receiving, April 28, 1898.

Fielding, William, March 25, 1898, petit larceny, March 21, 1899.

Faeder, William, April 26, 1895, petit larceny, March 7, 1898.

Fitzgerald, Richard E., August 21, 1894, injuring property, March 7, 1898.

Feeney, William, March 11, 1898, injuring property, March 23, 1898.

Friedman, Abraham M., August 10, 1894, misdemeanor, August 2, 1898.

Faed, Nicholas, October 25, 1894, conspiracy, May 9, 1898.

Fink, Albert, November 19, 1897, policy, April 29, 1898.

Foster, George, October 30, 1893, false registration, December 15, 1898.

Farranton, Dimetre, November 29, 1897, concealed weapon, January 3, 1898.

Fertitto, Rosaro, August 30, 1897, offering bribe, May 20, 1898.

Fitzgerald, Michael, April 28, 1897, releasing prisoner, November 29, 1898.

Gamberdella, Gaetano, December 16, 1896, grand larceny second, November 29, 1898.

Griffin, William, December 14, 1893, grand larceny second, June 16, 1898.

Gross, David, June 16, 1898, grand larceny second, October 14, 1898.

Graham, Joseph, October 18, 1898, grand larceny second, November 23, 1898.

Goldstein, Samuel, November 19, 1897, grand larceny second, December 27, 1898.

Garamone, Salvatori, March 18, 1898, grand larceny second, Aprl 4, 1898.

Grady, James, December 12, 1898, grand larceny second, January 19, 1898.

Gilmartin, Thomas, March 21, 1898, grand larceny second, April 13, 1898.

Greenbaum, Philip, July 21, 1898, grand larceny second, August 8, 1898.

Gabriel, Blanchard, September 28, 1898, grand larceny second, October 5, 1898.

Greene, Andrew J., September 4, 1897, grand larceny, May 19, 1898.

Gray, Thomas, January 31, 1899, petit larceny, April 12, 1899.

Groves, Lizzie, September 22, 1893, petit larceny, May 11, 1898.

Gross, Moses, November 29, 1898, forgery, December 12, 1898.

Gannes, Frank, January 14, 1898, forgery, June 15, 1898.

Gonder, Alvin C., April 21, 1898, forgery, June 22, 1898.

Gottlieb, Henry, May 11, 1892, forgery third, December 23, 1898.

Greenfield, Mary, November 18, 1897, disorderly house, January 17, 1898.

Goldberg, Jennie, January 24, 1898, disorderly house, February 21, 1898.

Goodman, Annie, October 19, 1897, disorderly house, June 9, 1898.

Goldstein, Maurice, March 16, 1898, disorderly house, June 10, 1898.

Greenburg, George, February 28, 1898, disorderly house, June 10, 1898.

Greenfield, Mary, February 1, 1898, disorderly house, April 22, 1898.

Gould, Thomas E., January 12, 1892, disorderly house, October 18, 1898.

Goss Patrick (2 cases), December 22, 1893, misdemeanor, November 18, 1898.

Gatti, Richard, November 24, 1894, misdemeanor, May 10, 1898.

Gallagher, James (2 cases), December 22, 1893, misdemeanor, November 18, 1898.

Gabriel, Victor, June 26, 1894, felony, May 9, 1898.

Gibson, Jane, March 21, 1899, assault second, March 24, 1899.

Gibson, Alice, June 30, 1895, assault second, December 20, 1898.

Geier, John, April 7, 1899, assault second, April 12, 1899.

Grunberg, Osias, September 22, 1898, grand larceny first, October 13, 1898.

Giegerich, John, May 27, 1896, assault second, May 11, 1898.

Grossman, Louis, April 9, 1897, assault second, May 11, 1898.

Grossman, Louis, April 9, 1897, assault second, October 14, 1898.

Gallizzi, Frank, November 18, 1898, assault second, April 11, 1899.

Gasan, Robert, April 30, 1897, assault second, April 13, 1898.

Gutfield, Edward, October 24, 1894, assault second, March 25, 1898.

Grant, John, June 10, 1897, assault third, April 22, 1898.

Goldsmith, George, June 7, 1897, assault third, January 12, 1898.

Grody, Adolphe, May 18, 1898, burglary third, June 7, 1898.

Griffin, John, September 16, 1898, burglary third, September 21, 1898.

Gorleto, Frank, June 21, 1898, burglary third, October 17, 1898.

Goldsmith, Max, April 14, 1898, burglary third, April 18, 1898.

Gossell, John, April 11, 1898, burglary third, April 13, 1898.

Gallagher, Francis, June 20, 1898, fraudulent registration, December 28, 1898.

Goodnberg, Gerson, January 15, 1895, fraudulent registration, May 16, 1898.

Goldberg, Isidor, October 1, 1896, liquor tax, January 20, 1899.

Gans, Samuel, August 28, 1896, liquor tax, February 25, 1898.

Gallet, August, August 7, 1896, liquor tax, February 16, 1898.

Gurrick, George, November 2, 1894, false registration, December 29, 1898.

Gallagher, Thomas, November 9, 1897, false registration, February 23, 1898.

Goldberg, Ester R. (2 cases), May 23, 1898, illegal practicing medicine, April 17, 1899.

Greenfader, Joseph, August 25, 1896, perjury, August 2, 1898.

Gaja, Joseph, January 31, 1896, libel, May 23, 1898.

Glynn, Thomas, February 15, 1898, injuring property, February 17, 1898.

Gibson, Henry J., January 4, 1899, concealed weapons, January 9, 1899.

Griffin, William, October 14, 1898, gambling, October 20, 1898.

Gerkiss, Tony, October 24, 1887, felony, March 30, 1899.

Geis, George J., April 15, 1897, felony, October 6, 1898.

Grandy, Richard, November 21, 1898, robbery first, December 13, 1898.

Giuhn, Samuel, February 17, 1898, receiving, May 6, 1898.

Goldstein, Morris, February 18, 1896, false pretenses, December 23, 1898.

Gribal, Lawrence, November 2, 1898, reckless driving, December 5, 1898.

Ganz, Pinkus, June 26, 1897, verbal threats, December 15, 1898.

Greenburg, Simon, April 21, 1897, gambling, June 20, 1898.

Gee, Get, August 21, 1894, gambling, June 14, 1898.

Harris, Herman, March 28, 1895, forgery second, May 31, 1898.

Heckel, Julius (5 cases), March 31, 1897, forgery, third, March 30, 1899.

Hunt, John, July 26, 1895, forgery third, December 9, 1898.

Harttel, Elizabeth, March 1, 1898, disorderly house, March 30, 1898.

Harmann, Frank, March 24, 1897, disorderly house, March 30, 1898.

Humphrey, Henry J., January 27, 1898, disorderly house, October 27, 1898.

Heth, Eshel H., December 17, 1895, misdemeanor, April 5, 1898.

Hock, Wong, April 28, 1897, policy, April 10, 1899.

Hallen, James, April 13, 1899, injuring property, April 18, 1899.

Hellwinkel, Frederick, September 29, 1893, felony, May 18, 1898.

Healy, William, November 1, 1894, false registration, May 11, 1898.

Hewitt, Charles A., November 27, 1895, conspiracy, May 11, 1898.

Hughes, Thomas B., September 6, 1895, libel, May 18, 1898.

Hall, John C., October 29, 1897, libel, February 23, 1898.

Harrison, Daniel, June 29, 1892, pool selling, May 13, 1898.

Henry, James, March 20, 1893, pool selling, May 13, 1898.

Hughes, Bernard, April 15, 1895, misdemeanor, May 18, 1898.

Howarth, John, May 10, 1898, assault first, May 17, 1898.

Hawkins, Hugh N., February 21, 1898, assault first, June 16, 1898.

Harden, Charles W., January 27, 1899, assault, first, February 24, 1899.

Haran, James, July 17, 1894, assault first, March 25, 1898.

Hickey, David, April 4, 1899 assault first, April 18, 1899.

Hastings, Thomas, April 7, 1892, assault second, May 26, 1898.

Hielman, Jacob, April 16, 1895, assault second, October 18, 1898.

Hogan, Thomas, October 29, 1895, assault second, May 11, 1898.

Hildreth, Samuel C., May 28, 1891, assault second, October 5, 1898.

Hildenbrandt, Peter, October 26, 1892, assault second, March 25, 1898.

Hurst, George, January 18, 1895, assault second, May 12, 1898.

Harnett, John, January 3, 1895, assault second, October 28, 1898.

Haubler, William E., December 14, 1894, assault third, May 12, 1898.

Haynes, Henry B., August 16, 1894, assault third, March 28, 1898.

Hammer, Martin, July 23, 1894, assault third, May 13, 1898.

Hester, John R., April 14, 1898, burglary second, May 17, 1898.

Hoffman, Benjamin, March 11, 1898, burglary third, April 4, 1898.

Harris, Frederick, August 17, 1898, burglary third, August 18, 1898.

Harrington, John, March 2, 1894, burglary third, May 18, 1898.

Hayden, Hugh, April 26, 1898, burglary third, May 10, 1898.

Holldorf, Edward, September 17, 1891, burglary third, May 19, 1898.

Hines, John, May 18, 1898, burglary third, June 6, 1898.

Holmes, William, April 21, 1898, burglary third, June 6, 1898.

Hayes, John, February 23, 1899, attempted burglary, April 7, 1899.

Hammer, Martin, July 23, 1894, assault third, May 13, 1898.

Haynes, Henry B., August 16, 1894, assault third, March 24, 1898.

Howes, L. D., March 8, 1898, highway larceny first, May 18, 1898.

Holman, Frank, March 10, 1894, highway larceny first, May 12, 1898.

Hechler, Henry, March 15, 1898, grand larceny second, April 11, 1898.

Harvey, Walter C., October 21, 1896, grand larceny second, December 15, 1898.

Hoppe, Conrad January 17, 1894, grand larceny second, May 27, 1898.

Hinds, James, December 13, 1898, grand larceny, January 12, 1899.

Hibbert, Joseph, November 29, 1897, grand larceny second, January 28, 1898.

Hechhauser, Emanuel (2 cases), February 24, 1898, grand larceny, March 31, 1898.

Hemen, Emanuel, June 27, 1898, grand larceny second, January 31, 1899.

Hughes, James, July 10, 1888, grand larceny second, May 20, 1898.

Herrman, John, September 16, 1898, grand larceny second, September 28, 1898.

Holder, Allen M., December 20, 1898, grand larceny second, March 30, 1899.

Healey, John (2 cases), September 27, 1898, grand larceny second, October 14, 1898.

Howland, Henry W. (seven cases), December 23, 1892, grand larceny, second, November 17, 1898.

Harris, Henry, March 6, 1894, accomplice grand larceny, second, March 25, 1898.

Hill, George W., January 13, 1898, petit larceny, May 6, 1898.

Haight, Jacob N., March 24, 1897, petit larceny, March 29, 1898.

Hall, William, January 9, 1899, robbery, first, January 19, 1899.

Hawthorne, Robert, May 26, 1898, robbery, first, June 8 1898.

Hermann, Frank, November 18, 1897, disorderly house, May 26, 1898.

Hunt, John, December 23, 1897, forgery, third, December 8, 1898.

Harvey, George, April 25, 1898, attempt burglary, first, May 13, 1898.

Heatherington, Thomas, et al., July 31, 1896, robbery, first, May 31, 1898.

Irving, James, August 4, 1892, assault, first, May 11, 1898.

Isaacs, Louis, May 18, 1894, attempt burglary, third, May 11, 1898.

Irving, James, May 16, 1893, grand larceny, second, May 27, 1898.

Isaacs, Louis, December 21, 1897, gambling, May 17, 1898.

International Hotel Employees, May 27, 1895, nuisance, November 29, 1898.

Iffland, Charles, December 4, 1893, misdemeanor, November 29, 1898.

Isaacs, Morris, May 3, 1892, misdemeanor, March 25, 1898.

Inslee, Charles, June 19, 1895, assault, second, May 10, 1898.

Johnston, Frederick, November 10, 1898, assault first, December 6, 1898.

Johnston, Oscar, November 18, 1898, assault first, December 5, 1898.

Jackson, Alfred, March 22, 1899, assault first, April 7, 1899.

Johnston, Isaac B., March 9, 1892, assault second, May 12, 1898.

Johnston, Albert, December 30, 1895, burglary third, May 11, 1898.

Jenkins, Edward, February 21, 1899, burglary third, March 9, 1899.

Jennings, Mae, June 2, 1898, grand larceny first, June 6, 1898.

Jahoia, Stanislosh, June 10, 1897, grand larceny first, April 28, 1899.

Jaung, Theresa, March 3, 1897, grand larceny second, March 11, 1898.

Jones, David T., July 20, 1898, grand larceny second, August 1, 1898.

Janda, Joseph, November 10, 1898, grand larceny second, November 23, 1898.

Jones, James B., November 9, 1897, grand larceny second, August 3, 1898.

Jordan, James H., August 9, 1898, grand larceny second, August 12, 1898.

Jurenskwi, Louis, March 17, 1898, grand larceny second, April 25, 1898.

Johnston, Daniel M., March 22, 1898, grand larceny second, April 6, 1898.

Jaeger, William L. August 31, 1897, disorderly house, October 24, 1898.

Jackson, Roger, December 23, 1893, perjury, November 23, 1898.

Johnston, James, June 29, 1892, pool selling, April 25, 1898.

Jackson, Julius, December 15, 1893, fraudulent removal, October 5, 1898.

Jackson, Emanuel, April 28, 1897, receiving, April 28, 1898.

Jonas, Manuel, July 23, 1894, misdemeanor, December 29, 1898.

Johnston, Maggie, January 10, 1899, robbery first, March 28, 1899.

Johnston, Henry, February 14, 1895, injury to property, June 6, 1898.

Jones, Samuel, February 17, 1898, gambling, June 24, 1898.

Kantowitz, Emil, April 28, 1897, assault first, May 19, 1898.

Koppman, Albert, August 10, 1898, assault first, August 12, 1898.

Kennedy, James, July 22, 1898, assault first, August 2, 1898.

Kuttler, Henry, January 5, 1894, assault first, March 23, 1898.

Knife, John, March 2, 1899, assault first, March 22, 1899.

Kennedy, John, March 21, 1887, assault second, April 14, 1898.

Kenny, Thomas, April 9, 1897, assault second, March 9, 1898.

Kissel, William, April 25, 1898, assault third, June 24, 1898.

Kennedy, Henry A., July 12, 1897, assault third, October 14, 1898.

Kelly, Patrick, January 7, 1898, assault third, April 6, 1898.

Keenan, John, July 10, 1894, burglary third, April 14, 1898.

Killen, John, January 31, 1899, burglary third, February 7, 1899.

Korn, William, November 30, 1898, petit larceny, January 16, 1899.

Kelly, James, August 9, 1894, petit larceny, April 11, 1898.

Keller, Frank, April 26, 1899, grand larceny first, May 11, 1899.

Keller, Frank A., June 2, 1898, grand larceny first, July 19, 1898.

King, May, November 11, 1898, grand larceny first, December 1, 1898.

Kelly, Frank, July 25, 1895, grand larceny first, April 18, 1898.

Kallman, Abraham, January 31, 1899, grand larceny first, February 9, 1899.

Kener, Ludwig, August 22, 1898, grand larceny second, September 8, 1898.

Kelly, Lizzie, October 31, 1898, grand larceny second, November 11, 1898.

Kline, John A., October 20, 1898, grand larceny second, November 23, 1898.

Karel, Frederick, September 7, 1898, grand larceny second, September 12, 1898.

Kaplan, Morris (2 cases), June 19, 1894, grand larceny second, Janury 11, 1899.

Klauber, Isaac, October 2, 1895, grand larceny second, March 29, 1898.

Kamber, Emilia, March 18, 1898, grand larceny second, March 31, 1898.

Klain, Joseph, December 8, 1897, grand larceny, second, December 15, 1898.

Klein, Gusie, September 14, 1896, grand larceny second, October 28, 1898.

Kellard, May M., December 2, 1896, forgery second, March 7, 1898.

Kuhirt, George A., November 29, 1897, forgery second, June 9, 1898.

Kohlberger, Eward A., April 28, 1897, forgery second, June 10, 1898.

Kessler, Henry G., July 23, 1894, forgery third, October 1, 1897.

Kempton, James C., March 8, 1894, misdemeanor, May 6, 1898.

Karch, Freida, May 1, 1894, misdemeanor, December 29, 1898.

Krumm, Charles, March 14, 1895, misdemeanor, April 4, 1898.

Kancher, Louis, March 20, 1895, misdemeanor, May 11, 1898.

Kohn, Aaron, June 20, 1894, receiving, April 17, 1898.

Kreiser, Samuel, April 13, 1897, conspiracy, April 11, 1898.

Kilgannon, Thomas W., February 11, 1898, gambling, May 11, 1898.

Kaplan, Morris, November 22, 1894, injuring property, May 11, 1898.

Kirby, John, April 7, 1896, felony, December 15, 1898.

Kleinscrott, Frederick, December 3, 1896, liquor tax, March 8, 1898.

Kolkmann, John H., July 2, 1895, liquor tax, March 23, 1898.

Kraus, Jacob R., March 23, 1893, pool selling, April 25, 1898.

King, Daniel, June 16, 1892, pool selling, May 13, 1898.

Kessler, George, December 30, 1896, policy, December 28, 1898.

Klain, Leopold, June 20, 1895, robbery first, April 27, 1898.

Karch, Frida, April 26, 1894, felony, December 29, 1898.

Kirby, Albert, January 28, 1896, gambling, November 21, 1898.

Kelly, John, July 12, 1894, bribery, June 24, 1898.

Keating, James M., October 24, 1894, false registration, December 8, 1898.

Kelly, Bridget, April 9, 1897, bookmaking, January 9, 1899.

Lahey, Thomas, December 24, 1895, assault first, April 12, 1898.

Lindo, Clarence, August 1, 1894, assault first, March 25, 1898.

Lamb, Michael, September 27, 1895, assault first, March 25, 1898.

Lorenzo, David, January 23, 1895, assault first, May 27, 1898.

Lung, Gong, November 15, 1897, assault first, December 20, 1898.

Lennon, Peter, August 26, 1895, assault second, March 29, 1898.

Lebine, Becky, January 25, 1897, assault second, January 31, 1899.

Lombard, Patrick J., November 13, 1895, assault third, April 12, 1898.

Loyd, Samuel, June 12, 1895, grand larceny first, March 25, 1898.

Leonard, Mary, January 11, 1898, grand larceny first, January 24, 1898.

Lewis, Annie, August 8, 1898, grand larceny first, January 30, 1899.

Ludlow, George, September 6, 1898, grand larceny first, September 28, 1898.

Lappin, James, October 31, 1898, grand larceny second, November 7, 1898.

Leonard, Henry, September 28, 1894, grand larceny second, April 30, 1898.

Lindhmer, David, November 30, 1898, grand larceny second, April 31, 1899.

Less, Hyman, January 12, 1894, grand larceny second, April 12, 1898.

Leech, Adam (two cases), August 27, 1896, grand larceny, second, May 3, 1898.

Leahy, Thomas, July 17, 1895, grand larceny, second, October 17, 1898.

Lynch, John, March 9, 1894, assault, second, March 28, 1898.

Lavandile, Bernard, March 30, 1899, grand larceny, second, May 8, 1899.

Lyons, Wm., August 22, 1898, grand larceny, second, September 6, 1898.

Leyden, Charles, September 7, 1898, grand larceny, second, September 8, 1898.

Leighton, Minnie, February 27, 1899, grand larceny, second, March 30, 1899.

Leddy, Bernard, February 24, 1899, grand larceny, second, April 4, 1899.

Levitt, Andrew, Jr., October 21, 1887, grand larceny, second, March 25, 1898.

Luff, Charles, March 21, 1899, grand larceny, second, April 19, 1899.

Lahey, Dennis, October 4, 1898, grand larceny, second, October 17, 1898.

Lewis, George, November 17, 1898, grand larceny, second, December 9, 1898.

Laws, Adolph (two cases), November 29, 1898, grand larceny, second, December 13, 1898.

Larson, Harry, April 24, 1899, grand larceny, second, May 15, 1899.

Lenton, Antonio, May 12, 1897, petit larceny, February 21, 1898.

Levens, Gustav, October 20, 1892, petit larceny, May 13, 1898.

Lemposki, Bernard, April 21, 1897, petit larceny, February 28, 1898.

Lassell, Claude B., October 22, 1897, petit larceny, February 2, 1899.

Lehker, Gustav H., May 29, 1896, petit larceny, April 13, 1898.

Lynch, John, September 16, 1892, robbery, first, April 13, 1898.

Lewis, Frank, January 5, 1898, burglary, third, January 14, 1898.

Lowden, John, November 14, 1898, burglary, third, January 6, 1899.

Lynch, John, January 27, 1893, burglary, third, March 25, 1898.

Lawler, John, July 12, 1895, burglary, third, March 25, 1898.

Lynch, Philip, March 5, 1898, burglary, third, January 30, 1899.

Lahman, Louis, March 28, 1895, forgery, second, March 28, 1898.

Lemmey, William, November 30, 1898, bigamy, January 30, 1899.

Lawton, Katie, April 1, 1896, bigamy, June 20, 1898.

Livingston, Joseph, January 3, 1895, perjury, April 3, 1898.

Levy, Samuel, January 7, 1899, perjury, March 13, 1899.

Lewis, David, October 29, 1897, receiving, May 13, 1898.

Levy, Harris, April 16, 1894, receiving, March 28, 1898.

Laport, Juliet, March 14, 1894, disorderly house, April 7, 1898.

Light, Harry, April 21, 1897, disorderly house, June 9, 1898.

Lung, Wong, March 27, 1894, gambling, April 14, 1898.

Legual, Eli, January 29, 1895, gambling, March 28, 1898.

Lewis, Mac, June 28, 1897, bookmaking, January 25, 1899.

Lawrence, James, June 16, 1892, pool selling, April 25, 1898.

Lawrence, Martin, January 3, 1896, pool selling, April 25, 1898.

Lewis, George, June 15, 1892, pool selling, April 25, 1898.

Lewis, Adolph, April 13, 1891, pool selling, May 13, 1898.

Lunhard, Robert E., January 19, 1894, injuring property, April 12, 1898.

Lewisky, Salli, November 2, 1894, false registration, December 7, 1898.

Lyons, Jeremiah, November 16, 1892, violation election law, March 16, 1898.

Landsman, Herman, October 1, 1896, liquor tax, November 30, 1898.

Leviberg, Jacob, May 29, 1896, misdemeanor, June 20, 1898.

Levy, Abraham M., September 18, 1894, misdemeanor, April 19, 1898.

Leonard, Peter, January 27, 1898, misdemeanor, January 4, 1899.

Landgraff, John (sixteen cases), March 24, 1896, misdemeanor, December 29, 1898.

Livingston, Henry, September 10, 1894, pool, January 5, 1899.

Long, Harry, January 18, 1899, perjury, February 7, 1899.

Lannon, John et al., May 11, 1898, burglary, third, May 18, 1898.

Lee, Jas. C., September 10, 1894, pool, January 5, 1899.

McHugh, Mathew, October 8, 1897, assault, first, May 10, 1898.

McGuire, Frank, February 28, 1899, assault, first, April 27, 1899.

McClusky, Andrew, November 15, 1897, assault, first, February 8, 1898.

McCarthy, James, September 22, 1898, assault, first, October 3, 1898.

McCaffrey, Christopher, Sr., October 5, 1898, assault, first, October 12, 1898.

McCormack, Michael, September 27, 1894, assault, second, January 27, 1899.

McKeon, Charles, April 28, 1897, assault, second, December 8, 1898.

McCormack, John, May 14, 1897, assault, second, January 21, 1899.

McDonald, Richard, January 11, 1898, assault, second, April 13, 1898.

McKeon, Patrick, October 6, 1898, assault, third, January 26, 1899.

McAuliffe, Jeremiah J., March 28, 1898, assault, third, October 5, 1898.

McKinley, Robert, November 5, 1897, assault, third, May 12, 1898.

McNulty, Michael, June 9, 1898, burglary, first, June 22, 1898.

McGinnis, Daniel, June 21, 1898, burglary attempt, July 11, 1898.

McFaddin, Harrison G., March 24, 1896, petit larceny, December 29, 1898.

McClelland, Donald A., November 29, 1897, grand larceny, first, May 9, 1898.

McMahon, Bernard, March 9, 1899, grand larceny, second, March 22, 1899.

McGinniss, James, June 21, 1898, grand larceny, second, June 30, 1898.

McAdam, Graham (two cases), April 1, 1896, grand larceny, second, January 23, 1899.

McKenzie, Jesse B., April 4, 1899, grand larceny, second, April 28, 1899.

McKay, Charles, February 1, 1898, grand larceny, second, February 21, 1898.

McAvoy, Peter, March 7, 1893, secreting property, June 13, 1899.

McCarthy, Charles, January 5, 1898, robbery, first attempt, January 31, 1899.

McGowan, Peter, April 21, 1897, policy, January 24, 1899.

McNulty, James, May 13, 1892, pool selling, February 2, 1899.

McElduff, Frank, August 27, 1896, liquor tax, December 6, 1898.

McCarthy, Paul, January 12, 1892, disorderly house, January 16, 1899.

McGurk, John H., January 12, 1892, disorderly house, January 16, 1899.

Miller, Frederick, December 24, 1897, disorderly house, November 18, 1898.

Meyer, Hermann (two cases), November 11, 1897, disorderly house, October 25, 1898.

Mendel, Mary, January 26, 1894, disorderly house, April 22, 1898.

Moffats, Thomas H., March 22, 1894, disorderly house, May 12, 1898.

Montarey, Catherine (two cases), October 22, 1897, disorderly house, April 4, 1898.

Martens, Louis F., January 20, 1897, disorderly house, July 21, 1898.

Miller, Sophie, April 28, 1898, disorderly house, June 10, 1898.

Miller, Lizzie, November 18, 1897, disorderly house, January 6, 1898.

Middleton, Edward A., May 26, 1898, abduction, June 9, 1898.

Mentel, Louis, February 5, 1896, abduction, April 21, 1898.

Miller, Albert, March 7, 1899, abduction, April 20, 1899.

Miano, Guiseppe, April 11, 1899, abduction, April 17, 1899.

Moore, Michael, December 22, 1893, misdemeanor, January 31, 1899.

Miller, Gustave M., October 19, 1897, misdemeanor, March 11, 1898.

Muller, William, January 29, 1895, misdemeanor, April 13, 1898.

Muller, Charles, April 21, 1897, misdemeanor, November 15, 1898.

Myers, George, June 30, 1896, burglary tools, April 19, 1898.

Miles, Henry L., June 29, 1897, bookmaking, January 25, 1899.

Miller, August, April 28, 1897, bookmaking, January 21, 1899.

Murphy, Emily, December 28, 1898, bookmaking, April 11, 1899.

Morgan, Teddy, October 26, 1898, gambling, December 15, 1898.

Miller, Nathaniel W., July 6, 1897, gambling, July 20, 1898.

Murphy, Denis, August 28, 1896, liquor tax, January 20, 1899.

Moynantone, Nicola, April 23, 1897, liquor tax, January 12, 1899.

Marks, Max, July 27, 1896, liquor tax, February 24, 1898.

Morgan, James, November 19, 1897, robbery, first, February 8, 1898.

Mitchell, James, August 16, 1898, robbery, second, August 24, 1898.

Murphy, John, November 27, 1895, manslaughter, second, May 10, 1898.

Murphy, Frank, November 22, 1897, policy, April 7, 1898.

Middledeth, James, April 1, 1896, felony, December 15, 1898.

Murray, Michael, January 12, 1891, pool selling, January 5, 1899.

Mulry, John J., April 15, 1891, pool selling, May 17, 1898.

Martin, John, July 30, 1896, pool selling, May 10, 1898.

Murphy, John D., May 3, 1898, assault, May 5, 1898.

Merculiano, Alexander, March 29, 1898, assault, June 9, 1898.

Miller, Peter, April 4, 1899, assault, April 7, 1899.

Mega, Michael, April 28, 1897, assault, June 8, 1898.

Mercer, Maggie (3 cases), December 7, 1898, assault, February 1, 1899.

Murphy, James, April 20, 1898, assault, April 25, 1898.

Murano, Rosario, August 18, 1898, assault, December 23, 1898.

Mischel, Simon, May 14, 1895, assault, April 22, 1898.

Maguire, Michael, May 8, 1893, assault, April 12, 1898.

Mamonion, Mesrod, January 25, 1898, assault, February 8, 1898.

Moran, Henry, August 14, 1895, assault, second, June 15, 1898.

Mahler, Harry, August 23, 1897, assault, second, June 10, 1898.

Merk, George, August 18, 1892, assault, second, April 14, 1898.

Maxwell, David, March 29, 1898, assault, second, May 6, 1898.

Manning, Frank, July 22, 1891, assault, third, May 6, 1898.

Morfield, Max, April 15, 1897, assault, third, January 24, 1899.

Munck, Jacob, October 12, 1898, assault, third, October 27, 1898.

Meehan, Thomas, March 21, 1898, assault, third, January 31, 1899.

Murray, Michael, November 9, 1897, assault, third, November 29, 1898.

Moran, Daniel, May 2, 1898, assault, third, May 18, 1898.

Morris, Patrick, December 15, 1893, assault, third, April 7, 1898.

Morrinsky, Julius, May 15, 1896, assault, third, October 18, 1898.

Maddigan, William, January 7, 1898, assault, third, April 11, 1898.

Muller, Henry, March 14, 1899, burglary, first, April 5, 1899.

Mulry, James B., January 20, 1896, burglary, first, August 2, 1898.

Miller, Frank, May 26, 1898, attempted burglary, second, June 14, 1898.

Miller, Charles, March 18, 1899, burglary, third, March 24, 1899.

Moran, Thomas H., May 18, 1898, burglary, third, May 25, 1898.

Moore, Charles (3 cases), November 2, 1893, petit larceny, March 28, 1898.

Mantel, Richard, November 11, 1897, petit larceny, February 2, 1898.

Mansfeld, Kate, May 1, 1888, petit larceny, April 13, 1899.

Moran, Kate, July 14, 1898, grand larceny, first, July 19, 1898.

Moran, John, May 1, 1894, grand larceny, first, December 8, 1898.

Moriarity, Michael, October 26, 1898, grand larceny, first, March 16, 1899.

Mather, Charles E. (3 cases), July 7, 1898, grand larceny, first, April 27, 1899.

Murphy, James, April 5, 1898, grand larceny, first May 13, 1898.

Mahoney, Joseph, September 7, 1898, grand larceny, September 19, 1898

Moore, John, September 7, 1898, grand larceny, third, September 29, 1898

Miller, Emil, January 18, 1899, grand larceny, second, January 26, 1899.

Matthews, Walter, October 20, 1898, grand larceny, second, October 27, 1898.

Mitchell, Mamie, April 26, 1898, grand larceny, second, May 6, 1898.

Mannion, Wm. D., October 14, 1898, grand larceny, second, March 8, 1899.

Marks, Benjamin, October 1, 1896, grand larceny, second, August 25, 1898.

Miller, Hermann, October 28, 1896, grand larceny, second, May 18, 1898.

Marcushon, Louis, March 16, 1898, grand larceny, second, May 6, 1898.

Miller, Max, October 8, 1897, grand larceny, second, April 28, 1898.

Morrison, James, March 23, 1898, grand larceny, second, March 30, 1898.

Moore, John G., January 27, 1897, grand larceny, second, November 29, 1898.

Maimone, Antonio, June 21, 1895, grand larceny, second, April 14, 1898.

Mallon, Richard, March 25, 1898, grand larceny, second, April 7, 1898.

Murray, Joseph E., October 4, 1894, grand larceny, second, May 26, 1898.

Marshall, William R., May 26, 1898, grand larceny, second, June 28, 1898.

Marks, Isaac, March 31, 1897, forgery, second, April 28, 1898.

Mulligan, Edward J. (6 cases), June 19, 1894, forgery, second, May 24, 1898.

Murray, Robert F., May 25, 1892, pool selling, January 5, 1899.

Morris, Joseph, June 4, 1896, pool selling, May 6, 1898.

Murphy, Jeremiah, December 21, 1894, pool selling, May 6, 1898.

Mulligan, James, April 7, 1899, burglary, third, April 12, 1899.

Miller, Jacob, April 28, 1899, burglary, third, May 3, 1899.

Mooney, Thomas, April 20, 1898, burglary, third, April 28, 1898.

Minor, John, March 25, 1898, burglary, third, April 21, 1898.

Myer, George, December 8, 1893, burglary, third, April 19, 1898.

Murphy, John, January 13, 1899, burglary, third, January 23, 1899.

Marsall, Gustav, October 30, 1896, libel, May 3, 1899.

Malooff, Nageb N., September 24, 1894, libel, June 7, 1898.

Metz, Charles, October 28, 1897, false registration, January 20, 1898.

Muller, Fritz J., November 2, 1894, false registration, March 30, 1899.

Mazzarella, Tony, November 2, 1894, false registration, April 28, 1899.

May, Wong Gow, January 28, 1895, gambling, January 20, 1898.

Mohr, John, January 14, 1895, abduction, April 13, 1898.

Mulligan, Thomas, September 14, 1894, attempt at arson, second, May 3, 1899.

Moreb, Boltis, October 20, 1898, receiving stolen goods, December 20, 1898.

Mass, Henry, April 22, 1896, disorderly house, December 23, 1897.

Mahoney, James, December 15, 1898, grand larceny, second, February 27, 1899.

Masterson, Bridget, December 21, 1897, assault, second, June 21, 1898.

Moore, Henry, March 31, 1898, violating sections 364 and 438 of the Penal Code, April 27, 1898.

Nickerman, John, February 13, 1896, assault, April 8, 1898.

Nichol, William, May 24, 1894, assault, second, January 31, 1899.

Newman, James, October 14, 1897, assault, second, April 11, 1898.

Neuayer, Ignas, November 5, 1897, assault, second, April 21, 1898.

Niedham, Edward, January 20, 1896, assault, April 13, 1898.

Nichols, Charles H., January 11, 1895, grand larceny, first, October 5, 1898.

Nieman, Nathan, September 22, 1898, grand larceny, second, September 29, 1898.

Newton, Julius, October 14, 1898, grand larceny, second, October 27, 1898.

Nevins, Maurice, November 19, 1891, grand larceny, second, April 13, 1898.

Neies, Frederick, March 2, 1898, grand larceny, second, April 28, 1898.

Nusskern, Matilda, January 11, 1899, grand larceny, second, January 16, 1899.

Newman, Isaac, June 2, 1892, forgery, second, April 14, 1898.

Nable, Moses, March 7, 1899, forgery, second, April 4, 1899.

Nichols, Louis, October 21, 1898, burglary, third, November 21, 1898.

Noonan, Michael, (2 cases), May 24, 1892, pool selling, May 6, 1898.

Newhaus, Moses, February 10, 1891, pool selling, May 6, 1898.

Nugent, John, June 30, 1896, pool selling, April 26, 1899.

Nell, John, June 24, 1898, felony, July 14, 1898.

Napollano, Michael, December 21, 1893, receiving stolen goods, June 15, 1898.

Nockton, James, December 4, 1896, misdemeanor, January 30, 1899.

Neckerman, John, November 3, 1898, gambling, November 15, 1898.

Nobel, Henry (3 cases), February 25, 1895, disorderly house, June 14, 1898.

Nelson, Jacob, March 22, 1893, poll, May 6, 1898.

O'Rourke, Dennis, April 4, 1898, assault, April 11, 1898.

O'Brien, William, January 24, 1895, assault, second, November 16, 1898.

O'Sullivan, John, October 16, 1896, assault, second, May 11, 1898.

O'Brien, Thomas, March 17, 1898, assault, second, October 28, 1898.

O'Brien, James, June 9, 1893, assault, second, September 22, 1898.

O'Brien, John, May 16, 1898, attempt grand larceny, second, May 24, 1898.

O'Brien, John, February 9, 1899, grand larceny, second, March 1, 1899.

O'Connor, John F., June 21, 1898, grand larceny, second, June 24, 1898.

O'Neill, Matthew, June 15, 1894, grand larceny, second, July 14, 1898.

O'Hara, Grace, February 19, 1895, grand larceny, second, June 13, 1898.

Oppenheimer, Isaac, February 23, 1898, grand larceny, second, February 28, 1898.

O'Neill, John, April 25, 1894, grand larceny, second, April 11, 1898.

O'Connor, Patrick, January 25, 1898, grand larceny, second, January 28, 1898.

O'Connor, Peter, May 3, 1897, petit larceny, March 17, 1898.

Oppenheimer, Henry, June 28, 1895, forgery, third, November 29, 1898.

O'Kane, Patrick, April 16, 1895, perjury, December 7, 1898.

O'Brien, William, April 25, 1898, maiming, May 6, 1898.

Ohl, Hermann, October 18, 1897, disorderly house, December 28, 1898.

Oehl, Frederick, October 19, 1896, disorderly house, June 15, 1898.

O'Connell, James, November 5, 1897, false registration, May 16, 1898.

O'Brien, William, November 12, 1897, false registration, December 15, 1898.

O'Brien, James, May 24, 1892, pool selling, May 6, 1898.

O'Brien, John, May 24, 1892, pool selling, May 6, 1898.

O'Neill, James, July 12, 1897, injury to property, April 14, 1898.

O'Connor, George, May 22, 1895, injury to property, April 11, 1898.

Oppenheimer, Max, January 10, 1895, gambling, April 14, 1898.

Pride, James R., November 17, 1898, assault, November 30, 1898.

Peterson, Oscar, December 17, 1897, assault, January 11, 1898.

Pollak, Berthold, October 5, 1898, assault, second, October 13, 1898.

Perry, Charles H., April 26, 1895, assault, second, November 16, 1898.

Perry, Ellen, June 9, 1898, assault, second, July 8, 1898.

Pomerenz, Henry, August 4, 1897, assault, second, May 27, 1898.

Price, Mary, February 20, 1896, assault, second, April 13, 1898.

Parascandola, Frank, November 29, 1897, assault, second, March 30, 1898.

Piper, Samuel, June 21, 1898, assault, second, July 6, 1898.

Phillips, Henry, April 19, 1898, assault, third, January 24, 1899.

Pfistor, Eugene, February 10, 1898, assault, third, April 15, 1898.

Powell, T. H. Kite, October 27, 1898, grand larceny, second, November 23, 1898.

Phillips, Frank, February 17, 1898, grand larceny, second, March 16, 1898.

Pallucco, Gaetano, February 15, 1898, grand larceny, first, February 24, 1898.

Pope, Joseph, July 20, 1898, grand larceny, second, August 4, 1898.

Pierce, Albert J., March 11, 1898, grand larceny, second, March 30, 1898.

Pasterlick, Jacob, August 9, 1898, grand larceny, second, May 4, 1898.

Pohly, Charles S., September 26, 1894, usury, June 28, 1898.

Phillips, Gustave, October 20, 1894, petit larceny, April 30, 1898.

Phillips, Austin, February 9, 1898, burglary, third, February 28, 1898.

Pologranti, Leon, May 26, 1898, burglary tools, June 7, 1898.

Perroni, Charles, October 18, 1898, concealed weapon, November 15, 1898.

Putter, Issy, May 20, 1895, receiving, June 15, 1898.

Pesce, Frank, November 18, 1897, abduction, July 8, 1898.

Pierre, Eli (2 cases), August 22, 1898, gambling, December 9, 1898.

Parks, James E., October 7, 1896, nuisance, December 8, 1898.

Puell, Paul, March 15, 1893, gambling, June 10, 1898.

Porret, Eliza (2 cases), May 16, 1898, disorderly house, February 27, 1899.

Prencke, Simon, October 24, 1894, false registration, January 11, 1899.

Pacco, Palmo, October 25, 1894, false registration, May 3, 1898.

Pflume, John W., December 20, 1894, pool selling, May 6, 1898.

Piddian, Ascher L., June 9, 1898, misdemeanor, June 22, 1898.

———, Henry, October 30, 1896, liquor tax, January 12, 1899.

Parker, John H., et al., October 4, 1895, manslaughter, May 9, 1899.

Pruno, Gregorio, January 31, 1899, assault, first, May 5, 1899.

Quipps, Harry L., June 6, 1893, petit larceny, May 24, 1898.

Quinn, Terence, December 4, 1896, grand larceny, second, January 31, 1899.

Roth, Michael, September 28, 1898, assault, first, October 13, 1898.

Ryan, Jas., August 19, 1896, assault, first, June 24, 1898.

Roma, Jas., May 14, 1894, assault, first, April 19, 1898.

Regan, John J., January 12, 1898, assault, first, April 29, 1898.

Rumler, Philip, April 24, 1893, assault, first, May 9, 1898.

Rehm, Wm. C., March 6, 1895, assault, first, April 27, 1898

Robertson, Wm., September 15, 1898, assault, first, September 23, 1898.

Rovatzos, Chas., January 10, 1898, assault, first, November 16, 1898.

Reilly, Frank, April 9, 1897, assault, second, July 6, 1898.

Rothman, Max, February 9, 1898, assault, second, April 5, 1898.

Retzky, Moses, June 11, 1895, assault, third, December 8, 1898.

Rabbiner, Harry, June 21, 1898, burglary, third, June 24, 1898.

Russo, Geo., April 17, 1899, burglary, third, April 19, 1899.

Robbins, Frank, et al., September 13, 1895, burglary, third April 24, 1899.

Rankeillor, Jas., February 8, 1898, burglary, third, February 14, 1898.

Remten, Francis, et al., August 22, 1898, burglary, third, September 12, 1898.

Retzky, Chas., December 23, 1895, petit larceny, June 20, 1898.

Rogan, Jas., April 30, 1897, petit larceny, January 23, 1899.

Rosenberg, Louis, September 12, 1894, petit larceny, April 13, 1898.

Redler, Elias H., September 16, 1897, petit larceny, March 18, 1898.

Robin, Alfred, November 30, 1898, grand larceny, first, December 12, 1898.

Reilly, John, October 10, 1894, grand larceny, first, June 10, 1898.

Ryan, John, January 12, 1898, grand larceny, first, January 23, 1899.

Ryan, David, September 27, 1898, grand larceny, first, October 18, 1898.

Ray, Annie, et al., October 11, 1898, grand larceny, first, October 19, 1898.

Rada, Bernard, et al., January 24, 1899, grand larceny, second, February 15, 1899.

Rossen, Abraham B., January 24, 1895, grand larceny, second, June 14, 1898.

Rack, John M., February 6, 1891, grand larceny, second, January 17, 1899.

Reid, Wm., February 28, 1899, grand larceny, second, March 24, 1899.

Rutledge, Richard C., et al., February 1, 1893, grand larceny, second, May 22, 1898.

Rosenberg, Samuel, et al., October 26, 1898, attempted grand larceny, second, December 29, 1898.

Ralston, David, March 23, 1898, grand larceny, second, March 28, 1898.

Ryan, John, July 21, 1898, grand larceny, second, July 18, 1898.

Reilly, Bernard J., August 21, 1896, grand larceny, second, December 7, 1898.

Rand, Chas., et al., August 1, 1895, pool selling, January 23, 1899.

Romane, Harry, March 22, 1893, pool selling, January 5, 1899.

Raymond, Frank, June 16, 1892, pool selling, January 5, 1899.

Ryan, Robert C., May 24, 1892, pool selling, January 5, 1899.

Ryan, Jas. F., et al., March 20, 1895, pool selling, May 6, 1898.

Royal, Jos. P., March 20, 1899, grand larceny, first, March 24, 1899.

Ryan, Wm., May 24, 1892, pool selling, May 6, 1898.

Robinson, John, June 29, 1892, pool selling, May 6, 1898.

Reilly, Walter A., May 5, 1893, forgery, second, April 11, 1898.

Rabban, Louis, June 27, 1894, forgery, second, April 21, 1898.

Recht, Jacob, December 19, 1898, forgery, third, January 6, 1899.

Recht, Jacob, December 20, 1898, forgery, third, January 6, 1899.

Recht, Jacob, December 20, 1898, grand larceny, second, January 6, 1899.

Ryan, James, et al., December 14, 1897, robbery, first, January 21, 1898.

Roland, Stephen, January 20, 1899, rape, first and second, February 21, 1899.

Rosenfeld, Albert, February 25, 1895, perjury, May 6, 1898.

Raesner, Nicholas, January 29, 1895, section 566, penal code, April 19, 1898.

Robins, Jos. (6 cases), April 27, 1896, sections 364 and 438, A. P. C., December 29, 1898.

Ross, Albert, December 21, 1897, violation Excise Law, January 31, 1898.

Ross, Robt., January 12, 1899, injury to property, January 18, 1899.

Rogers, Jas., April 6, 1898, policy, December 28, 1898.

Romelius, Jos. (3 cases), December 22, 1893, misdemeanor, chapter 377, Laws of 1887, as amended by chapter 181, Laws of 1888, January 31, 1899.

Richardson, John J., January 31, 1898, section 567, Penal Code, February 8, 1898.

Roberts, Jos., December 22 ,1898, section 567, Penal Code, January 31, 1899.

Russell, Susie, March 15, 1898, house ill fame, May 10, 1898.

Roman, Jane, October 20, 1895, house ill fame, March 30, 1899.

Ryersdorph, Arthur, December 22, 1897, house ill fame, February 17, 1899.

Rockefeller, Noah, May 16, 1895, receiving stolen goods, May 6, 1898.

Riedl, Eugene, March 15, 1894, receiving stolen goods, April 14, 1898.

Rumble, Geo. W., et al., June 7, 1893, gambling house, December 7, 1898.

Reif, Rufus, December 17, 1894, gambling house, April 14, 1898.

Rubin, Isaac, April 21, 1897, gambling house, January 11, 1899.

Rosenthal, Herman, October 8, 1894, gambling house, April 26, 1898.

Rudolph, Geo. W., November 29, 1897, section 316, Penal Code, February 28, 1898.

Reichers, Chas. F., March 11, 1897, sections 168 and 653, Penal Code, February 9, 1898.

Reesch, Wm., March 7, 1893, manslaughter, second, April 10, 1898.

Reibenbach, Geo., November 1, 1894, false registration, January 13, 1899.

Rosenbaum, Samuel, November 2, 1894, false registration, December 15, 1898.

Ryan, Michael, December 4, 1894, section 68, Penal Code, January 31, 1899.

Remelius, Jos. (3 cases), misdemeanor.

Ryan, Thos. F., December 20, 1888, pool, May 6, 1898.

Roberts, Wm., September 10, 1894, pool, January 5, 1899.

Pestel, Frank, et al., April 21, 1899, robbery, first, May 11, 1899.

Smith, John, December 12, 1893, pool selling, April 10, 1899.

Sharp, Wm. H., May 26, 1892, pool selling, January 5, 1899.

Smith, John, June 14, 1892, pool selling, April 10, 1899.

Smith, Matthew, et al., August 26, 1895, pool selling, January 17, 1899.

Stone, Louis, March 15, 1898, gambling house, May 3, 1898.

Scher, Jos., March 24, 1897, gambling house, May 3, 1898.

Simmons, Henry, April 5, 1894, gambling house, May 13, 1898.

Southall, Henry I., May 23, 1895, gambling house, May 6, 1898.

Stuber, Annie, April 15, 1897, gambling house, May 10, 1898.

Sam, Ki, January 24, 1895, gambling house, April 27, 1898.

Sofa, Abraham, June 24, 1892, gambling house, May 13, 1898.

Stamile, Natalia, June 7, 1897, gambling house, May 11, 1898.

Schumann, Arthur E., June 18, 1894, gambling house, April 27, 1898.

Sugarman, Louis, April 15, 1897, gambling house, June 20, 1898.

Sweeney, Hugh, December 4, 1893, misdemeanor, January 13, 1899.

Spinelli, Diego, et al., August 22, 1894, misdemeanor, May 12, 1898.

Siemes, Geo. W., et al., August 7, 1896, liquor tax, November 16, 1898.

Silberberg, Israel, May 18, 1898, liquor tax, May 24, 1898.

Scullen, Jas. J., et al., December 3, 1896, liquor tax, January 12, 1899.

Simons, Frank W., October 25, 1894, false registration, January 11, 1899.

Stewart, Wm., October 31, 1894, false registration, January 11, 1899.

Steiner, Samuel, November 1, 1894, false registration, January 11, 1899.

Shewrin, Schackner, September 17, 1898, bigamy, September 16, 1898.

Schwandewedt, Fred'k, March 10, 1899, forgery, second, April 12, 1899.

Sweeney, Maggie, May 8, 1895, eighth arrest, April 3, 1899.

Savage, Jas., April 27, section 364, Penal Code, December 29, 1898.

Spaigna, Nicholas, October 18, 1898, rape, January 10, 1899.

Sullivan, Michael, January 29, 1895, advancing conterfeit money, January 13, 1899.

Sommerfeild, Isidore, June 27, 1894, counterfeiting trade mark, May 5, 1898.

Sachs, Ernest W., December 13, 1893, perjury, October 14, 1898.

Sullivan, John, June 8, 1893, robbery, first, April 19, 1898.

Styles, Silas, et al., April 22, 1890, section 465, Penal Code, April 10, 1899.

Smith, James, April 16, 1897, bookmaking, April 15, 1898.

Schultz, Frank et al., Dcember 27, 1894, conspiracy, April 26, 1898.

Spinelli, Diego, et al., October 22, 1894, libel, August 12, 1898.

Scneider, Mary, June 24, 1898, injury to property, June 29, 1898.

Salzman, Kessel, March 2, 1898, section 326, Penal Code, November 18, 1898.

Sullivan, Jos., April 11, 1898, concealed weapons, May 10, 1899.

Shillak, Morris L., October 18, 1897, petit larceny, January 11, 1898.

Sinkowitz, Jos., November 5, 1897, petit larceny, June 13, 1898.

Scharlin, Simon, et al., February 26, 1897, petit larceny, May 18, 1898.

Sperling, Wm., et al. (14 cases), March 24, 1896, petit larceny, December 29, 1898.

Steinhargen, Paul, June 24, 1896, petit larceny, June 7, 1898.

Scute, John, February 18, 1898, petit larceny, April 27, 1898.

Sistare, Wm. H. M., et al., March 10, 1891, grand larceny, March 30, 1899.

Stadelmen, Geo., June 9, 1898, grand larceny, first, June 16, 1898.

Schwartzberg, Jacob, October 31, 1898, grand larceny, first, April 20, 1899.

Smith, Jennie, August 4, 1898, grand larceny, first, September 14, 1898.

Smith, Benj. F., February 24, 1898, grand larceny, first, January 13, 1899.

Sullivan, Mamie, April 17, 1894, grand larceny, first, April 23, 1894.

Solliday, Arthur, June 21, 1898, grand larceny, first, June 30, 1898.

Schumacher, Fred'k, February 6, 1895, grand larceny, second, May 5, 1898.

Smith, Jos., et al., January 26, 1899, grand larceny, second, February 10, 1899.

Spencer, Geo. C., November 4, 1898, grand larceny, second, December 9, 1898.

Samuels, Eva, December 16, 1898, grand larceny, second, February 24, 1899.

Schwartz, Samuel, et al., June 19, 1896, grand larceny, second, October 25, 1898.

Silverman, Jacob, June 27, 1894, grand larceny, second, November 21, 1898.

Silverstone, Louis, April 6, 1898, grand larceny, second, June 10, 1898.

Shapiro, Benj., March 20, 1894, grand larceny, second, April 21, 1898.

Skelly, Wm., September 29, 1897, grand larceny, second, February 23, 1898.

Schuyler, Bessie, December 21, 1897, grand larceny, second, March 31, 1898.

Smith, Henry, alias, April 1, 1896, grand larceny, second, November 29, 1898.

Sullivan, Daniel, September 12, 1898, grand larceny, second, September 21, 1898.

Surut, Elias, February 15, 1897, grand larceny, second, May 10, 1898.

Sloss, Leonard B., January 11, 1899, grand larceny, second, January 13, 1899.

Smith, Louis A., August 11, 1898, grand larceny, second, August 16, 1898.

Smith, John D., et al., December 16, 1897, grand larceny, second, June 16, 1898.

Sheldrick, Richard, July 21, 1898, grand larceny, second, August 4, 1898.

Seibert, Malcolm O., September 16, 1897, grand larceny, second, January 12, 1898.

Schey, Geo., November 11, 1896, grand larceny, second, August 18, 1898.

Smith, Chas., March 3, 1899, attempted grand larceny, second, April 21, 1899.

Siems, Fred'k, December 15, 1898, grand larceny, second, April 28, 1899.

Schweiger, Leopold, December 1, 1896, grand larceny, second, February 28, 1898.

Seelig, Henry, et al., April 26, 1898, grand larceny, second, May 26, 1896.

Schlesinger Hyman, November 12, 1896, grand larceny, second, May 6, 1898.

Sneider, Abram, April 11, 1895, receiving stolen goods, May 5, 1898.

Scarabelick, John, May 20, 1891, receiving stolen goods, January 13, 1899.

Silverstein, Annie, February 1, 1899, receiving stolen goods, February 8, 1899.

Silverstein, Moses, December 9, 1895, receiving stolen goods, April 25, 1898.

Salvin, Paul, October 26, 1897, receiving stolen goods, November 18, 1898.

Schoperfeldt, Israel, et al., December 22, 1898, receiving stolen goods, January 11, 1899.

Schiappacassi, Giambalyte, November 2, 1893, receiving stolen goods, April 19, 1898.

Sam, Jue, June 9, 1896, policy, April 11, 1899.

Symes, John T., May 29, 1895, assault, second, June 30, 1898.

Salestine, Michael, December 14, 1894, assault, first, May 6, 1898.

Spalter, Fanny, June 14, 1895, assault, first, June 24, 1898.

Sanders, Jefferson (2 cases), October 30, 1896, assault, first, January 24, 1898.

Santorasino, Paulo, December 17, 1897, assault, first, May 5, 1898.

Sexton, John T., October 7, 1898, assault, first, April 10, 1899.

Sabotell, Charles, January 25, 1898, assault, first, April 5, 1898.

Segola, Alfred, February 6, 1899, assault, first, April 10, 1899.

Simon, Morris, December 20, 1894, assault, first, May 6, 1898.

Stokes, John, October 12, 1898, assault, first, October 17, 1898.

Spinka, Frank, May 26, 1897, assault, second, April 27, 1898.

Shea, Dannie, September 17, 1895, assault, second, April 19, 1898.

Schlage, Bernard, February 14, 1894, assault, second, April 19, 1898.

Spelarsky, Meyer, July 18, 1894, assault, second, April 27, 1898.

Shalhope, Annie, September 15, 1898, assault, second, September 29, 1898.

Schachel, Wm., jr., February 14, 1894, assault, second, April 15, 1898.

Scannell, Edward A., March 7, 1894, assault, second, June 16, 1898.

Moore, Jeremiah, indicted as John Sheehan, November 10, 1898, assault, second, November 30, 1898.

Smith, David, et al., October 7, 1898, assault, third, October 27, 1898.

Stokes, Patrick, February 17, 1898, assault, third, April 15, 1898.

Sheridan, John, February 3, 1898, assault, third, December 13, 1898.

Schmidt, Louis, January 17, 1898, burglary, third, March 24, 1898.

Shea, Joseph D., et al., June 24, 1898, burglary, third, June 29, 1898.

Shea, Patrick, October 20, 1898, burglary, third, December 8, 1898.

Smith, James, et al., July 21, 1898, burglary, third, August 3, 1898.

Sippel, Delia, August 22, 1898, burglary, third, August 25, 1898.

Smith, James, et al., May 18, 1898, burglary, third, May 26, 1898.

Shiel, Charles D., April 15, 1897, house ill fame, May 3, 1898.

Smith, Charles, January 12, 1892, house ill fame, January 13, 1899.

Sutton, Frank D., et al., May 24, 1897, house ill fame, February 14, 1898.

Smith, Gussie, January 25, 1898, house ill fame, June 17, 1898.

Smith, Annie, February 25, 1898, house ill fame, May 2, 1898.

Schroder, et al., February 25, 1895, house ill fame, April 19, 1898.

Sherman, Jacob, et al., June 14, 1897, house ill fame, June 10, 1898.

Seeman, Frederick, January 24, 1898, house ill fame, January 11, 1899.

Stager, Louis, April 15, 1897, house ill fame, January 7, 1898.

Sihgman, Julius, March 16, 1898, house ill fame, April 28, 1898.

Stein, Burton, April 22, 1896, house ill fame, May 6, 1898.

Smith, Gertie, September 26, 1895, house ill fame, October 28, 1898.

Sand, Adolph, April 15, 1897, house ill fame, June 17, 1898.

Smith, John, et al., April 28, 1898, policy, December 29, 1898.

Smith, John, April 21, 1897, policy, December 28, 1898.

Speiro, Arthur, June 10, 1897, policy, April 10, 1899.

Sam, Lee, April 28, 1897, policy, April 10, 1899.

Sang, Won, June 30, 1896, policy, April 11, 1899.

Sullivan, John, August 4, 1897, policy, December 28, 1898.

Smith, John, December 30, 1896, policy, December 28, 1898.

Stephens, Addie, March 21, 1899, grand larceny, second, March 29, 1899.

Skarpa, Frank, August 5, 1892, assault, first, January 13, 1899.

Schechtman, Abraham, March 31, 1896, receiving stolen goods, October 14, 1898.

Travinski, John, August 4, 1898, assault, first, August 12, 1898.

Tuck, Moot, et al., November 5, 1897, assault, first, June 20, 1898.

Tobin, Michael, November 15, 1895, assault, third, May 6, 1898.

Treffurth, Carl, November 9, 1897, assault, third, January 21, 1898.

Thomas, John, April 26, 1898, burglary, third, May 10, 1898.

Tuch, Jacob, April 21, 1897, petit larceny, September 15, 1898.

Thompson, Wm. F., February 23, 1897, felony, May 2, 1898.

Tilley, Wm., April 30, 1897, petit larceny, May 6, 1898.

Trainor, James, August 20, 1894, grand larceny, first, April 22, 1898.

Taesler, Ernest, et al., February 3, 1898, grand larceny, first, May 26, 1898.

Tannebaum, Jacob (2), May 12, 1897, grand larceny, second, May 6, 1898.

Tati, Wm., November 17, 1898, grand larceny, second, January 20, 1899.

Taub, Abraham, January 14, 1895, grand larceny, second, May 9, 1898.

Trearnor, Owen, April 23, 1897, liquor tax law, January 25, 1897.

Todd, Wm. J., March 30, 1898, liquor tax law, April 14, 1898.

Tonnshend, Esther, March 23, 1898, forgery, third, August 10, 1898.

Thomas, Charles, et al., March 27, 1893, pool selling, January 5, 1899.

Turner, John (2), March 24, 1892, pool selling, January 5, 1899.

Thompson, James, June 16, 1892, pool selling, January 5, 1899.

Tyrer, Wm. C., November 1, 1893, section 559 penal code, November 29, 1898.

Tucker, Joseph, December 4, 1893, misdemeanor, December 21, 1898.

Thom, John C., et al., November 22, 1897, bucket shop, July 18, 1898.

Taub, Louis, January 14, 1895, receiving stolen goods, May 9, 1898.

Ullman, Robert R. (2), November 12, 1896, petit larceny, August 4, 1898.

Unger, Jonas, December 22, 1893, misdemeanor, January 31, 1899.

Ulm, John, December 4, 1893, misdemeanor, January 13, 1899.

Ungerleider, Jacob, et al., February 9, 1899, burglary, third, February 20, 1899.

Ulmann, Annie, May 16, 1895, disorderly house, April 7, 1898.

Van Rooyan, Abraham, October 26, 1893, assault, first, April 25, 1898.

Vlachos, Constantine, March 2, 1894, assault, first, April 25, 1898.

Vaughan, Frank, February 17, 1899, burglary, third, February 28, 1899.

Vogel, Selma, November 30, 1897, petit larceny, January 14, 1898.

Valdez, Frank, et al., February 10, 1899, grand larceny, first, March 30, 1899.

Van Alstyne, Frank, et al., September 14, 1898, grand larceny first, October 4, 1898.

Vallon, Maurice, June 24, 1896, grand larceny, second, February 13, 1898.

Ventariere, Raphael, September 28, 1894, grand larceny, second, May 5, 1898.

Van Horn, Edward, et al., June 27, 1893, grand larceny, second, April 22, 1898.

Vesey, Michael, et al., January 5, 1899, grand larceny, second, January 23, 1899.

Vermeule, Louise, et al., January 17, 1899 (2), forgery, second, March 28, 1899.

Vandergaw, David, et al. (9 cases), April 1, 1896, forgery, second, grand larceny, first and second, March 28, 1899.

Venezio, Pasquale, June 16, 1897, injury to property, March 31, 1898.

Vause, Lewis, September 14, 1898, robbery, first, September 1, 1898.

Vogel, Lee, June 27, 1894, perjury, June 20, 1898.

Wynn, Thos. F., May 25, 1892, pool, January 5, 1899.

Wynn, Thos. F., June 16, 1892, pool, January 5, 1899.

Wilson, Chas., July 31, 1895, pool, January 11, 1899.

Werner, David, August 4, 1896, gambling house, June 10, 1898.

Wavra, Joseph, May 20, 1895, gambling house, May 12, 1898.

Williamson, Wm., April 4, 1899, robbery first, April 27, 1899.

Wilson, Maggie, et al., January 24, 1899, robbery, first, January 26, 1899.

Walker, Wm., March 16, 1899, robbery, first, March 23, 1899.

Wood, Wm. G., December 3, 1896, forgery, second, April 13, 1898.

Weiss, Joseph, et al., January 24, 1898, forgery, second, February 28, 1898.

Withus, Henry J., October 28, 1897, adulterating milk, February 17, 1898.

Williams, Ethel, December 22, 1897, abduction, January 7, 1898.

Woodruff, John W., et al., November 22, 1897, bucket shop, July 19, 1898.

White, Harry, et al., June 28, 1895, conspiracy, May 9, 1898.

Wiener, Gerri, November 2, 1898, maiming, December 23, 1898.

Williams, John, December 30, 1896, policy, December 28, 1898.

Whittaker, Frank, November 5, 1897, false registration, January 11, 1899.

Willims, George, October 30, 1893, false registration, January 16, 1899.

Ward, Samuel, et al., October 30, 1890, counterfeiting money, February 2, 1899.

Wechler, Morris, August 6, 1896, perjury, February 2, 1899.

Whalen, Thomas, September 21, 1898, injury to property, September 26, 1898.

Williams, Senora, July 23, 1894, poison, May 27, 1898.

Wilson, Mary, April 20, 1894, excise, April 12, 1899.

Walling, Lottie, February 24, 1898, excise, March 18, 1898.

Wilkinson, W. L., July 22, 1898, bigamy, October 25, 1898.

Weissman, Samuel, L., November 20, 1894, receiving stolen goods, January 11, 1898.

Wilson, John, et al., January 9, 1899, grand larceny, first, February 10, 1899.

Wall, Laurence, September 21, 1898, grand larceny, second, September 23, 1898.

Wood, Hiram, January 19, 1898, grand larceny, second, April 10, 1899.

White, Frank, May 25, 1898, grand larceny second, June 2, 1898.

Williams, Tillie, July 12, 1898, grand larceny, second, August 2, 1898.

Weiller, Emanuel, April 21, 1899, grand larceny, second, April 27, 1899.

Wagner, E. Wm., June 27, 1898, grand larceny, second, April 12, 1899.

Worl, Charlotte, et al., February 21, 1895, grand larceny, second, March 10, 1898.

Walker, Christopher, et al., July 14, 1898, grand larceny, July 22, 1898.

Whalen, Daniel, December 31, 1896, grand larceny, second, November 23, 1898.

Whalen, Daniel, December 31, 1896, grand larceny, first, November 23, 1898.

Whalen, Daniel, December 31, 1896, forgery, third, November 23, 1898.

Wood, Herbert, November 2, 1898, grand larceny, second, November 2, 1898.

Ward, Charles H., November 30, 1898, grand larceny, second, January 23, 1899.

Wilson, Mary, April 20, 1894, disorderly house, October 28, 1896.

Welch, Carey, January 12, 1892, disorderly house, January 16, 1899.

Wood, Florence A., April 15, 1897, disorderly house, June 23, 1898.

Wilson, Annie, October 8, 1897, disorderly house, October 20, 1898.

Walters, Louis, January 12, 1892, disorderly house, January 13, 1899.

Wittmack, Charles A., February 26, 1897, misdemeanor, April 13, 1898.

Warner, George, November 18, 1891, misdemeanor, January 11, 1899.

Winkelmann, Emilie, May 1, 1894, misdemeanor, January 24, 1899.

Wittemann, Jacob, April 30, 1896, misdemeanor, May 13, 1898.

Walters, William, March 22, 1893, pool, January 5, 1899.

Weaver, Edw., April 1, 1896, pool, April 11, 1899.

Wynn, Thomas T., May 24, 1892, pool, January 5, 1899.

Williams, Thomas, September 13, 1898, assault, first, April 3, 1899.

Webb, Charles H., January 18, 1899, assault, first, January 23, 1899.

Wilson, Joseph, November 14, 1898, assault, first, November 22, 1898.

Witson, Henry, February 24, 1898, assault, first, May 12, 1898.

Williams, William, September 28, 1898, assault, second, January 21, 1899.

Wolf, Isaac, September 28, 1898, assault, first, October 12, 1898.

Walsh, John, June 13, 1898, assault, first, June 27, 1898.

Woods, James, December 27, 1898, assault, first, February 8, 1899.

Williams, Susie, April 14, 1898, assault, first, January 24, 1899.

Weinberg, Louis, October 14, 1895, assault, second, June 13, 1898.

Warren, William, October 26, 1897, assault, second.

Wellinsky, Abraham, June 19, 1896, assault, second, May 10, 1898.

Wellinsky, Joseph, June 19, 1896, assault, second, May 10, 1898.

Welsh, Gerald, March 1, 1892, assault, second, June 13, 1898.

Ward, Peter, October 4, 1893, assault, second, June 13, 1898.

Weeks, William E., April 27, 1897, assault, third, April 6, 1898.

Windel, Peter, September 15, 1898, burglary, third, October 4, 1898.

Walsh, Thomas, et al., October 28, 1898, burglary third, November 29, 1898.

Wands, Harry, et al., February 6, 1899, burglary third, February 16, 1899.

Whatley, William, January 26, 1898, burglary, third, January 23, 1899.

Wilson, William, (2), March 2, 1898, petit larceny, March 8, 1898.

Westervelt, Clementine, November 3, 1898, petit larceny, January 11, 1899.

Watson, Mary, May 11, 1898, petit larceny, June 7, 1898.

Wehman, Edward, June 28, 1897, petit larceny, May 19, 1898.

White, Annie, March 1, 1899, grand larceny, first, March 30, 1899.

Walsh, Charles, March 17, 1898, grand larceny, first, April 15, 1898.

Wolf, Samuel, August 16, 1898, grand larceny, first, September 7, 1898.

Williams, Ruth, et al., June 24, 1898, grand larceny, first, July 12, 1898.

Walsh, William, May 20, 1898, grand larceny, first, June 15, 1898.

Wright, William, February 11, 1898, grand larceny first, April 4, 1898.

Weeks, Edwin, et al., July 14, 1898, grand larceny, first, August 2, 1898.

Woods, Aggie, March 16, 1897, grand larceny, first, December 8, 1898.

Young, George, March 8, 1899, receiving stolen goods, March 17, 1899.

Yaori, Angelo, January 10, 1896, grand larceny, first, April 20, 1898.

Yucker, Wolf, July 17, 1894, assault, first, May 5, 1898.

Yen, Ng, November 30, 1898, assault, second, January 16, 1899.

Yeandle, Geo. W., December 22, 1896, assault, third, April 25, 1898.

Yates, Daniel, January 27, 1899, assault, second, February 17, 1899.

Zugermann, Bernard, et al., April 9, 1897, assault, third, November 18, 1898.

Q. And this further list of bail discharges from the Supreme Court, from January 1, 1898, to May 15, 1899, amounting to fifty-three cases? A. Yes, sir.

Mr. Moss—I offer that list in evidence.

The following is a copy of list referred to giving name, date of indictment, offense and date of discharge:

SUPREME COURT, BAIL DISCHARGES, FROM JANUARY 1, 1898, to MAY 15, 1899.

Brown, Robert, April 30, 1897, policy, November 11, 1898.

Brady, Frank, November 19, 1897, policy, November 11, 1897.

Crane, George, August 19, 1897, policy, November 11, 1898.

Camp, Harry, alias Babcock, January 29, 1895, grand larceny, first, April 20, 1898.

Clair, Charles, December 30, 1896, policy, November 11, 1898.

Carbone, Angelo, October 6, 1897, murder, first, November 15, 1898.

Di Magro, et al, March 22, 1897, murder, first, May 7, 1897.

Doran, Edward, et al, August 30, 1897, burglary, third, December 14, 1898.

Edwards, John, December 30, 1896, policy, November 11, 1898.

Farrell, John, December 30, 1896, policy, November 11, 1898.

Foley, Charles E., February 25, 1897, manslaughter, March 1, 1898.

Golden, Richard, October 19, 1897, policy, November 11, 1898.

Graham, Edward J., April 21, 1897, policy, November 11, 1898.

Gaffney, William, March 3, 1897, policy, November 11, 1898.

Gannon, George, December 30, 1896, policy, November 11, 1898.

Hoffman, Michael, June 10, 1897, manslaughter, second, February 11, 1898.

Hagney, Dennis, October 26, 1897, policy, November 11, 1898,

Hunt, William, September 16, 1898, rape, first and second, February 23, 1899.

Haneis, John, March 8, 1897, policy, November 11, 1898.

Hart, John, March 8, 1897, policy, November 11, 1898.

Hart, Francis X., September 21, 1887, manslaughter, March 1, 1898.

Hubbard, Edward F., et al., May 25, 1897, gambling, April 13, 1898.

Kenney, William, March 4, 1897, policy, November 11, 1898.

Kuhn, Albert, July 29, 1895, manslaughter, second, March 2, 1898.

Kaplan, David, March 12, 1895, grand larceny, second, December 14, 1898.

Keenan, John, October 11, 1895, manslaughter, second, March 2, 1898.

Lennon, William F., et al., October 31, 1895, manslaughter, second, April 20, 1898.

Leone, Vincenzo, April 29, 1897, policy, November 11, 1898.

Lenahan, Joseph M., March 21, 1898, grand larceny, second, July 12, 1898.

McCoy, George E., February 19, 1897, manslaughter, first, March 1, 1898.

McGarry, John, et al., November 25, 1892, manslaughter, first, March 2, 1898.

McCarthy, Cornelius, December 24, 1895, grand larceny, second, November 11, 1898.

McDonald, ———, January 16, 1896, grand larceny, second, February 20, 1899.

Miller, John, November 19, 1897, policy, November 11, 1898.

Murray, William J., December 30, 1896, policy, November 11, 1898.

Pincus, Herman, August 4, 1897, assault, second, April 20, 1898.

Phillips, Nathan, June 10, 1897, manslaughter, second, February 11, 1898.

Rooney, Timothy, July 29, 1895, manslaughter, second, March 2, 1898.

Rappaport, Simon, et al., February 11, 1896, manslaughter, first, February 7, 1898.

Reilly, John, October 19, 1897, policy, November 11, 1898.

Schaub, Bertha, March 24, 1898, manslaughter, first, November 7, 1898.

Samuelson, Joseph D., October 24, 1898, manslaughter, first, November, 1898.

Segelman, Joseph, April 30, 1897, grand larceny, second, December 14, 1898.

Stewart, George, March 8, 1897, policy, November 11, 1898.

Simms, Charles, December 30, 1896, policy, November 11, 1898.

Stein, Joseph, February 3, 1898, manslaughter, February 21, 1898.

White, Albert N. December 3, 1896, section 311, penal code, February 24, 1899.

Widderman, George, April 21, 1897, policy, November 11, 1898.

Walton, Harry, June 29, 1897, policy, November 11, 1898.

Webster, Charles, September 19, 1890, manslaughter, first, July 13, 1898.

Walsh, Thomas, March 23, 1898, manslaughter, first, June 14, 1898.

Zimmerman, Elizabeth, March 4, 1897, policy, November 11, 1898.

Zaccaro, Joseph, March 24, 1898, manslaughter, first, November 7, 1898.

The Witness—I am aware of the practice that has obtained recently—that is, within the past eighteen months—of transferring nearly all, if not all, of the murder cases from the court of general sessions to the supreme court for trial. I do not know what has been the reason for that. I have a belief on the subject, but I do not know. My belief is founded upon the conflict between the district attorney and the judges. My belief is that he preferred to ask the supreme court judge to transfer, in preference to going to one of the judges with whom he was in conflict.

Q. Why should he do that with murder cases particularly and not with other classes of cases? A. Through the simple reason that the court of oyer and terminer, the supreme court, part 1, criminal trial term, has always been regarded as a court that was convened for the trial of homicide cases. That is my 20 years experience. They are looked upon as star cases—the homicide cases; oh, certainly. And there is some distinction both to the judge and to the district attorney in the trial of a homicide case. Perhaps it adds to the dignity of the court to try homicide cases. It gives it a little greater standing, with the public than a court that disposes of robberies and larcenies.

Q. And this matter being entirely within the control of the district attorney, and through these conflicts that have occurred, he transfers the star cases to the supreme court; that is the result of it, is it not? A. Well, the cases tried in the oyer and terminer are all star cases, as you might call them. The great bulk of the homicide cases are tried in the oyer and terminer. But there have been, in the history of the court, for years back, very many homicide trials in the court of general sessions. And some very important ones. They got their share of the star cases. I do not know that the judge who holds the criminal part of the supreme court declines to try other than homicide cases and arson cases. Oh, no, I never knew a judge to refuse to try anything that was presented to him. I have never known a judge of the supreme court to

refuse to try any case that the district attorney moved before him.

Q. Is it not well understood in the court of general sessions, in the clerk's office, that the judge holding that part does not desire to try anything except capital cases? Is not that so well understood that nothing but that class of cases goes to the court of oyer and terminer? A. Those classes of cases have recently all been moved—there were a couple of cases tried last June, murder cases—a couple of convictions for murder in the first degree; but the great bulk of cases are tried in the supreme court—I can speak for at least one judge, who prefers not to try cases amounting to the gravity of murder in the first degree. I know he prefers not to try them, in the supreme court. The court of general sessions is always in session, some part of it all through the year. The law compels us to open the court the first Monday of every month. The criminal branch of the supreme court meets less frequently than the court of general sessions. Its terms are appointed by the appellate division. They are not fixed by any regular rule. They are fixed by the appellate division, and they appoint as many terms as they can spare judges for them.

Q. When was the last term of the criminal branch of the supreme court? A. It is in session to-day. The last before this was in June; running into July. Parts of the general sessions have adjourned before 4 o'clock, because there was no further business, during the past month, and the month before that. That has been quite a frequent occurrence. I think in three of the parts they nearly all adjourned each before 4 o'clock. Sometimes as early as half past 12 or 1 o'clock. I know one day where they got 8 or 10 pleas. The calendar was all disposed of and they got through before 1 o'clock. That day they did a pretty good day's work. The entire calendar was disposed of. And some of the parts adjourned before the end of the month. Adjourned for the term. Judge Newberger's part, for instance. I think it adjourned on Tuesday. One part adjourned on Monday. And Judge McMahon's part adjourned on Monday, I think. And that was

entirely because there was nothing further for the judge to do. That is my belief. The judges have no power to create work for themselves. They can simply sit there and try the cases that the district attorney brings to them, whether they are misdemeanors or felonies. They have no control over the class of cases, or the number of cases. If there are a large number they can sit and try a large number. If there are a small number, and the calendar breaks down, there is nothing they have to do but to adjourn court and go home, or somewhere else. The fact is that the criminal business is right in the hands of the district attorney. Entirely so. He is the man who determines whether a case shall be tried at all. He is the only one that determines that. If the district attorney determines that a case shall not be tried before a jury, there is no power in the State to make him try it that I know of. If a defendent believes himself to have been unjustly accused, and he desires, for his vindication, to have a trial before a jury, and the district attorney is unwilling to bring on such a trial, that defendant has no power to compel a trial. There is no one who can give it to him. His only belief is to move to set aside the indictment; dismiss it. He may move the court to dismiss the indictment for want of prosecution.

Q. But in practice are such applications often granted? Have you known of many of them? A. Well, there are quite a number. Not immediately. They will give the district attorney further time. Sometimes several months before they will undertake to dismiss the indictment. Judges are reluctant to dismiss indictments. They will fix a day, and say, "If the district attorney don't try this during the next term, you can renew the motion before me at any time." And then, on excuse by the district attorney, it may be pushed over to the next term, if the excuse is valid, the judges will push it over. There is no disposition on the part of the judge to dismiss an indictment against the will of the district attorney, it rather lies the other way. It is the general understanding that the removal by the district attorney of the murder cases to the supreme court is on account of the frictions between him and the general sessions judges. I think I can fairly state that.

By Mr. Hoffman:

I have been connected with the clerk's office of the court of general sessions twenty years, last April. During all these twenty years the greater portion of the time has been spent in the court of general sessions and the court of oyer and terminer and the criminal branch of the supreme court, as created under the new constitution. It has been the custom of the court of general sessions for the district attorney of the county of New York to make up the calendar of the court, During all that time that I have been connected with the courts. During the past twenty years, as far as I can recollect, I can give the names of the district attorneys who have preceded the present district attorney. Benjamin K. Phelps, Daniel G. Rollins, John McKeon, Wheeler H. Peckham, Peter B. Olney, Randolph B. Martine, John R. Fellows, Delancey Nicol and Asa Bird Gardiner. And under the administration of each of these gentlemen whom I have named, the calendar was made up in the district attorney's office, and the district attorney moved any case that was ready for trial. And preceding Colonel Gardiner's administration of the district attorney's office no calendar of the cases was called for the past twenty years with the exception that during Judge Allison's term of office he consulted Mr. Fellows, and he tried that as an experiment. That was not continued after Judge Allison went out of office. I can't say that I am familiar with the calling of the calendar and the trial of the cases in the civil courts of the city of New York. I have had no experience in civil courts. I have read recently that in the supreme court of the county of New York there were upwards of 9,000 cases pending for trial, and that that was occasioned by counsel not being ready to proceed with the cases. From general information I know that to be a fact, that the volume of business in the civil branches prevents us from having as many judges as we would like, in the supreme court. It is difficult to find a judge to preside in the supreme court, Part I. More than 5,000 cases are disposed of in the court of general sessions, on an average during any one year. I speak of the court of general sessions. Closely

up to 4,000. Probably a little over. There are five judges of the court of general sessions, including the recorder. I do not know how many supreme court judges there are in the county of New York trying causes at the present time. I should say there are as many as fifteen. During my experience in the past twenty years it has occurred frequently that the courts adjourned before 4 o'clock in the afternoon, on account of the lack of business.

By the Chairman:

I am testifying now from knowledge. I have been in court as a clerk during the past 20 years. I am speaking of the general sessions—of both courts. The criminal courts of record, yes, sir. Both oyer and terminer, supreme court, and the sessions.

By Mr. Hoffman:

As to the cases that are dismissed in the court of general sessions, the final arbiter as to the question whether or not the case shall be dismissed, that final power lies in the court.

By the Chairman:

That final power lodged in the court is based on the report of the evidence, etc., made by the district attorney. The district attorney is the one who has the facts in the case, and makes the recommendation. The court has no knowledge of the facts in the case at all. No opportunity to learn the facts. And it is dependent entirely on the statements of the district attorney, the sworn officer, upon whom he should rely.

By Mr. Moss:

When I say that 4,000 cases were disposed of in a year on an average, I include the discharges on bail, certainly. And dismissals of indictments, certainly, as well as the pleas and verdicts. That includes pleas of guilty, and convictions, by verdict. So that the proportion of cases that are actually tried in that 4,000 would be very small.

Q. When you say that there have been adjournments before 4 o'clock in previous times, previous administrations, are these

adjournments before 4 o'clock at the present time any more marked, any more numerous than they were before? Is there any increase, proportionately, in the number of such adjournments over previous years? A. Well, I think at times they have been quite frequent, and then they would run along for a few months when they are not so frequent. I think the last month, the month of October, was one of those spots where adjournments were quite frequent. In previous administrations the same thing has occurred.

Q. Could you state approximately the proportion of convictions in the 4,000 cases disposed of in each year— convictions on trial? If there are 4,000 cases disposed of in a year, about what would be the number of those on verdict, by a jury? A. I suppose it would run about 800 out of 4,000. That is my belief, without looking at the records.

By Mr. Hoffman:

The court has remained in session, at times, after 4 o'clock, some branches of it. On many occasions, where one branch would adjourn early, the other branch would remain in session until 5 or 6 o'clock.

Mr. Moss—For the record I have had the laws, the criminal practice, of the various States, examined, and have had correspondence with district attorneys in the various States. I have made a little compilation of the result of those inquiries, and supposing that it may be useful at some time to the legislature, I would like to put it on the record.

SUMMARY.

This work is divided into three parts. This has been done to present the subjects, clearly and permit a comparison between the different States on certain phases of their criminal system, more easily. The first part considers the question of indictment and information, the general powers of the grand jury and as far as we have been able to ascertain, the courts of criminal jurisdiction. The second part considers the question of calendar

practice. The third part mentions those states which fix by statute the time limit of a prisoner's remaining without a trial and giving him a remedy for the neglect of the prosecution.

The New England States we consider are Massachusetts, Connecticut, Vermont and New Hampshire; the Middle Atlantic States, New Jersey, Pennsylvania and Delaware; the Southern States, Alabama, Arkansas, Virginia, Mississippi, Maryland and Florida; and the Western States, Montana, Minnesota, Iowa, Michigan, Colorado, Illinois, California, Oregon and Kansas. In these States, we have obtained specific information on all the points; in the other States mentioned in part III, we have not been so successful.

In almost all the States, an indictment must precede a trial where the crime charged amounts to a felony. The State of Montana, however, appears to be an exception. There, trial is usually had by information. In all the States where grand juries are provided, it seems that their conduct and procedure is very much like ours; the district attorney or the court may present the evidence and direct them, or they may investigate on their own motion. A reading of some of the provisions of the different States as to indictment will show that there exists in some States a sentiment which has for its purpose the doing away with grand juries, or to have them act only in the higher degrees of crime, and it seems that in very few States are the grand juries selected every month; in one State there has not been any grand jury in four years, and in some States it requires a petition from a certain number of its taxpayers before a grand jury can be selected.

The system of criminal courts is the same as ours. There are courts of exclusive criminal jurisdiction and civil courts exercising concurrent jurisdiction. Even in the matter of the calendar practice, the same evil exists. There is a tendency to give the prosecutor control of it. You will find, however, two exceptions to the rule: Massachusetts and California regulate the matter by statute. The method in the western State is the more radical of the two, and commended to your attention.

E. B. L. & S. M.

I.

Connecticut.—Section 1599, statute of 1888. The superior court may, when necessary, order a grand jury of 18 electors of the county where said court is sitting to be summoned, impanelled and sworn to inquire after and present such offenses as shall be cognizable by said court, and no person shall be put to plead or held to trial for any crime, the punishment of which may be death or imprisonment for life, unless an indictment shall be found against him for such crime by a grand jury, legally impanelled and sworn, and no bills shall be presented by any grand jury unless 12 at least of the jurors agree to it.

New Jersey.—An indictment is the usual procedure. One may be proceeded against by information, though it is never done. By statute, a defendant who has been held by a magistrate on a criminal charge may waive indictment and trial by jury and request a trial before the judge of the court of special sessions, who is judge of the common pleas for the time being. A grand jury may only act upon matters (a) called to its attention by the court; (b) such public offenses as come to light while it is considering other matters—meaning offenses which are incidently proven (prima facie) by the evidence as it comes out in support of a distinct crime, which was primarily presented to the grand jury; (c) such matters as are within the knowledge of the individual jurors; (d) the formal written charges of crime presented by the prosecutor. A grand jury cannot proceed on its own motion, but witnesses are subpoenaed through the process of the court in which the grand jury is organized, and of which the grand jury is a subordinate part, on motion of the public prosecutor or on the court's own motion. The court can adjourn a grand jury at will and the practice is to do so on the prosecutor's assuring the court that there is no public criminal business which presently makes it advisable to continue the session of the grand jury.

Massachusetts—No one can be tried for a felony unless indicted by the grand jury. A felony is any crime which may be punished by death or by imprisonment in the state's prison. All other of-

fenses may be tried on complaint of any individual. The grand jury may consider any case it sees fit to consider and is not confined to such matters as the district attorney may present or that are charged by the presiding justice

Pennsylvania—Offenses above the grade of breaches of peace are triable by the petit jury, and reach that stage either by indictment presented to the grand jury by the prosecuting officer and found true by that body or by information directly presented in court by the prosecuting officer, who is the district attorney. The latter course, however, is employed with extreme rarity. The grand jury itself may make a presentment to the court, ex mero motu, but before a trial is had an indictment must be prepared by the proper officer.

Michigan—Criminal proceedings are generally had upon information instead of indictment. The calling of a grand jury is of rare occurrence, and but two were ever ordered in Wayne county in the past fifteen years, and they were called upon the petition of the prosecuting attorney to inquire into alleged corruption and bribery among political officers. A grand jury is only called upon a written order of a circuit judge, and it may consider anything it desires, though in practice it considers only such matters as are presented by the prosecuting attorney in connection with the particular exigencies that necessitated its assembling. The criminal procedure is as follows: When one charged with crime is arrested and arraigned before the examining magistrate, a day is set for examination. The defendant may be represented by counsel and present his case in full, or may waive examination, or may hear the people's case and waive further examination. When the examining magistrate filed his return, containing the depositions taken at the examinations and his certificates of probable cause, an information is filed in the trial court by the prosecuting attorney, arraignment is had on it, and after plea the cause is at issue.

Vermont—An indictment need not precede a trial unless the crime is punishable by death or by imprisonment in state's prison for more than twenty years; otherwise prisoners may be tried

upon an information filed by the state's attorney. The grand jury can consider any case it desires, but the practice is to consider only such matters as the state's attorney presents for their consideration.

Mississippi—An indictment must precede a trial, unless the case is tried on appeal from justice of peace. The grand jury can proceed to indict upon its own initiative. There are no special courts for criminal trials. Circuit courts try both civil and criminal cases, usually setting apart one week for each. Justice of peace courts have jurisdiction concurrent with circuit court of the county over all crimes in their several districts whereof the punishment prescribed does not extend beyond a fine and imprisonment in the county jail.

Alabama—No one can be tried for a felony without first being indicted by the grand jury. In misdemeanors, the constitution gives the legislature power to provide for a trial without indictment, and the solicitor may, with the consent of the defendant, file an information against him for a misdemeanor. The grand jury can take action on its own initiative. The foreman has the power to summon and swear any witness the jury may wish to examine. There are justices of the peace in each ward or precinct, who have jurisdiction in a few minor misdemeanors, and preliminary jurisdiction in all cases. Proceedings are commenced by sworn complaint and warrant issued thereon. If justice has no jurisdiction except preliminary or if the offense has been committed more than sixty days before the issuance of the warrant, the justice binds over to await the action of the next grand jury and sends up the papers to the clerk of the circuit court. Where he has final jurisdiction, the defendant prefers to await an indictment, and claims a trial by jury, he is also bound over to await the action of the grand jury and the papers sent up as before. If the defendant does not demand the trial by jury, the justice of peace tries and disposes of the case and the defendant, on giving a bond, has a right to appeal to the circuit court, where the case is tried de novo, but without indictment, as such cases go directly on the docket and do not go to the grand jury. In most

of the counties, the judge of probate is also ex-officio judge of the county court and has jurisdiction in all cases of misdemeanor and the proceedings before him are the same as in the justices' court in regard to appeals and claiming a jury trial. A number of counties have special laws for inferior criminal courts, but they are all pretty much on the order of the county court. The state is divided into a number of circuits and each circuit has a judge and a prosecuting attorney, called solicitor. Circuit court is held twice a year in each county, and has jurisdiction in all cases, civil and criminal. All appeals from the lower courts are tried here and all indictments found by the grand jury, whether for felony or misdemeanor, and all informations filed by the solicitor at the request of the defendants. Often, while court is in session, a defendant who is arrested for a trivial matter and is unable to give bond, will request the solicitor to file an information rather than lay in jail and await the action of the next grand jury. In counties where there are large cities, there are city courts, and sometimes inferior criminal courts, having concurrent jurisdiction with the circuit court. Appeals may be taken from the city or circuit court or court of like character to the supreme court on points reserved by bill of exception or apparently on the record, but in criminal cases the court has no power to revise the action of a lower court in refusing a motion for a new trial. If the case is reversed, it is tried again in the lower court, but if affirmed there is an end to it, as the supreme court is the highest tribunal. In Mobile county there are justices of peace, and in Mobile itself their place is supplied in criminal matters by an inferior criminal court with like jurisdiction. The recorder of the city has also powers of a justice of peace in addition to other jurisdiction. The city court has concurrent jurisdiction with the circuit court of all criminal cases, and in fact does all the business in that line, as the circuit court in Mobile county confines itself to civil business. The city court meets three times a year, and its judges and solicitors are paid salaries and all solicitors' fees are paid into the county treasury.

Minnesota—An indictment or presentment always precedes a trial for a felony. The grand jury is not limited to consider only that which the county attorney or court presents; it can take action on its own initiative. No special courts for criminal trials; that is, trials for felonies. The district courts of the various districts of the state devote certain portions of each term to the trial of criminal cases. In the county of Ramsey, where the district court has nine terms a year, and six judges sit, one judge devotes his entire time to the criminal causes. No other court has concurrent jurisdiction for the trial of felonies, or for indictments presented by the grand jury.

Iowa—An indictment must always precede a trial, except where the defendant has taken an appeal from a city police court or from a justices' court. All crimes punishable by imprisonment in state's prison are felonies, and all indictable misdemeanors must be indictments based on evidence taken before the grand jury, and when found indictments must be presented in open court, and in presence of the entire grand jury. All crimes in Iowa where the defendant, upon conviction, cannot be fined more than $100 or imprisoned more than thirty days in the county jail are called misdemeanors with exclusive jurisdiction in the justices of peace and city police judges and right of appeal to the district court of the county; in other crimes, grand jury can take action on its own initiative, that of the court, county attorney or any person. There are no special courts for the trial of all indictments. Original jurisdiction is in the district court, appellate jurisdiction in the supreme court.

Virginia—Justices of the peace and police justices have jurisdiction for the trial of all misdemeanors, and in such cases there is no indictment by the grand jury. In cases of felony, there must be an indictment. The grand jury can consider any case of alleged violation of law. If the evidence be sufficient the jury returns into court, and requests the attorney for the commonwealth to prepare a bill of indictment against the party charged and again returning, return the indictment into court endorsed "a true bill" or "not a true bill." If the offense be a misdemeanor, the indictment is sent to the police justice, if there be

one in the county or corporation; if not, to some justice of the peace for trial. If it be a felony, the accused is arrested and tried before some corporation or county court in which the offense was committed. Felonies are all offenses punishable by death or imprisonment in the penitentiary; they are tried by jury. The judge does not charge the jury unless asked by counsel, on either side, in which event he instructs them as to the law bearing on the offense.

Montana—Grand juries are seldom called. Their power is vested in the county attorney who filed an information. The statute and constitution provide for calling a grand jury, which is occasionally done. They of course present indictments. Complaints must be filed in the justice of peace courts and courts of inferior jurisdiction for prosecution of misdemeanors. There can be no trial unless a complaint is filed by the county attorney in the justice court, or on information in the district court, or an indictment presented by the grand jury in the district court. The grand jury can look into any matter it sees fit. The entire criminal machinery is, however, vested in the county attorney. There are no criminal courts. The district court tries all criminal actions, except misdemeanors, which are tried by justices of peace. An appeal from a justice of peace in case of a misdemeanor, lies in the district court.

Colorado—Person charged with crime may be proceeded against in two ways, one by an indictment of the grand jury, and the other by information filed by the district attorney. The grand jury may consider any matter directed to its attention by the court or district attorney or by one of its members, and sometimes even when presented by a private citizen. The information filed by the district attorney may be based upon a transcript filed by a justice of the peace when a preliminary examination has been held, or may be based upon an affidavit of some person having personal knowledge of the facts when no preliminary examination has been held. Justice courts have jurisdiction to try only such misdemeanors as are provided by the statute in each particular case, and also jurisdiction to hold and hear preliminary

examinations in all other cases brought before them. The county or probate courts have jurisdiction to try all misdemeanors, either originally or on appeal. District or circuit courts have jurisdiction to try all offenses, both felonies and misdemeanors, either originally or on appeal, except appeals from the county courts to the court of appeals or supreme court.

Maryland—Except in petty cases tried before a justice of peace, an indictment must precede a trial. There are four ways of bringing a party before the criminal court of Baltimore for trial. 1. On a warrant sworn out before a justice of peace, on which the party charged is held for the action of the criminal court. 2. By the grand jury considering any case it sees fit on its own motion, or considering any case brought to its attention by any citizen. 3. By the grand jury considering any case the State's attorney refers to. 4. By considering any case specially charged by the judge presiding. It is selected by the supreme court once every four months and sits in secret.

Florida—There must always be an indictment by the grand jury for felonies in counties where there are no criminal courts of record. In counties where there are, all cases not punishable by death are tried upon information filed and prepared by the prosecuting attorney of the county. The courts of criminal jurisdiction are (1) justice of peace, whose jurisdiction extends to cases where the fine does not exceed $500, and the imprisonment six months; (2) There is a county judge, whose jurisdiction is in main concurrent with that of the justice of peace; (3) "Criminal courts of record" for all crimes except those punishable by death; (4) Circuit court, whose jurisdiction in counties where there are no criminal courts of record is for all crimes whose punishment is greater than a fine of $500 and six months imprisonment, and they exercise concurrent jurisdiction with the criminal courts of record in other counties.

New Hampshire—An indictment must always precede a trial, except (a) in cases of misdemeanor, when an information has been filed by the county solicitor or by the attorney-general—such information is rarely filed; (b) in the case where a party has been

sentenced for some minor offense by a justice of peace and has taken an appeal to the supreme court. The grand jury considers only such matters as are presented to them by the county solicitor or the attorney-general.

Illinois—An indictment by the grand jury always precedes a trial for felonies. An information may be filed in the case of misdemeanors in the county courts. The grand jury is not limited in its investigation of cases presented by the State's attorney, "but may make presentments upon information of not less than two of their own body, unless the juror giving the information is sworn as a witness, in which case his evidence shall be considered the same as any other witness.

California—Penal code provides that every public offense shall be prosecuted by indictment where there is a felony, or information in case of misdemeanor. The superior court has original jurisdiction in all cases where there has been an indictment by the grand jury, and appellate jurisdiction on appeals arising from justices and other courts of inferior jurisdiction. Article 6, section 5, and all accusations, information or indictment against district, county, municipal and town officers must be found and filed in the superior court. The other criminal courts are justice courts and police courts.

Arkansas.—Section 8 of Constitution: "No person shall be held to answer a criminal charge unless on the presentment or indictment of a grand jury, except in cases in which the general assembly shall make cognizable by a justice of the peace." By amendment, in 1868 it was provided "that no person shall be held unless indicted by grand jury, except in cases of impeachment, petit larceny, assault, assault and battery, affray, vagrancy and such other minor offenses as the general assembly shall make cognizable by justices of peace." Section 1113 Revised Statutes provides "The circuit court shall have jurisdiction in all civil and criminal cases, the exclusive jurisdiction of which may not be vested in some other court, provided for by the Constitution."

Section 1932: The supreme court has general jurisdiction and control over all inferior courts in criminal cases. City and police courts have exclusive jurisdiction of all persecutions and actions for infractions of by-laws or ordinances of city or town and concurrent jurisdiction with the circuit and justice courts for prosecutions for misdemeanors committed in the town or city. In criminal cases, the jurisdiction of the justice of peace shall extend to all matters less than felony for final determination and judgment, provided circuit courts shall have concurrent jurisdiction in those cases. The supreme court has jurisdiction over the entire state: Circuit courts over the counties. Circuit courts may by order remove case to city magistrate or police court for trial where jurisdiction is concurrent.

Kansas—Under the statute, all felonies must be prosecuted by indictment of a grand jury, or on information by the county attorney, after a preliminary examination before an examining magistrate. No grand jury is had, except when specially ordered by the judge of the district court on petition of at least 100 taxpayers of the county. Such grand jury is not limited to the consideration of such cases as the county attorney presents, but may also investigate and take action on its own motion. There is no special criminal court for criminal cases, but the district courts have jurisdiction in both civil and criminal cases.

Delaware—Section 8 of Constitution: No person shall for any indictable offense be proceeded against criminally by information, except in cases arising in the land or naval forces or in the militia when in actual services in time of war. The superior court, or any three of them, under section 3, chapter 92, has the powers from time to time as there shall be occasion to deliver the jail of all persons committed for treason, murder or such other crimes as by the laws of the State are made capital or felonies of death; and for that end, from time to time, to issue forth such necessary precepts of process and force obedience thereto as justice of assize, justices of oyer and terminer and jail delivery, may or can do in Great Britain.

The court of oyer and terminer have jurisdiction of all crimes punishable by death (of murder in second degree), and of crimes of manslaughter and of offense of being accomplice or accessory to any such crime. The courts of general sessions of the peace and jail delivery shall have jurisdiction of all crimes and offenses not within the jurisdiction of the court of oyer and terminer, to issue writs, subpoenas, warrants, etc. Justices of peace for petty cases, with power to bind over to general sessions.

Oregon—Section 1230: The grand jury consists of seven men sworn to inquire of crimes committed or triable within their county and (section 1242) present them to court either by presentment or indictment. The distinction between presentment and indictment is where the grand jury acts on its own initiative it is a presentment; where the prosecuting attorney gives them the case, an indictment. Five grand jurors must concur to indict one. When in doubt it may present for opinion of court, justices, county, circuit and supreme courts. The supreme is highest court and of appeal in criminal cases. Circuit court has criminal jurisdiction of felonies and indictments returned by grand jury. County court has such criminal jurisdiction as does not extend to death or imprisonment in the penitentiary

Arkansas—Section 2052: The clerk of the court on request of prosecuting attorney or of foreman of grand jury must issue subpoenas Their conduct and procedure is similar to ours.

Section 2154. If the defendant is in custody, or on bail, when the indictment is found, the trial may take place at the same term of court, on a day to be fixed by the court.

Section 2155: If not tried at the same term, all indictments together with all other criminal prosecution and penal actions shall be docketed for the first day of the next term of the court, unless a different day be fixed by the order of the court.

Section 2166: All prosecutions shall stand for trial on the day to which they are docketed, where the defendant is in custody, or on bail, or has been summoned three days before the commencement of the term.

Section 2157: When an indictment is called for trial, or at any time previous thereto, the court upon sufficient cause shown by either party, may direct the trial to be postponed to another day in the same term or in another term.

Section 2153: The provisions of law in civil actions in regard to postponements of the trial of actions, shall apply to the postponement of prosecutions on behalf of the defendant.

Section 2159: The attorney for the state need not make an affidavit in order to obtain an adjournment. His official statement in writing shall be sufficient.

Section 2160: If any person indicted, etc., and committed to prison shall not be brought to trial before the end of the second term of the court having jurisdiction of the offense, which shall be held after the finding of such indictment, he shall be discharged so far as relates to the offense, unless he has caused the delay.

Section 2161: If any person indicted, etc., under bail shall not be brought to trial before the end of third term of the court in which such indictment is pending, after the finding of same, he shall be discharged unless delay caused by him.

Delaware.—Chapter 93, Laws of 1873, section 4: The list of cases provided by section 1 for the court of general sessions and jail delivery in and for New Castle county shall be divided into such number of classes and with such number of cases in each class, as the judges of said court shall direct, and the said judge shall assign days on which the trial of each class of cases in said court shall commence. Witnesses in said cases, before the said court, in any one of the classes aforesaid shall be summoned to attend said court at a day not more than two days previous to the day on which the trial of the cases in said class shall commence, except as provided in section 6.

II.

Alabama.—Code, section 751 provides that criminal dockets shall be taken up when the term of court is for two weeks on the second Monday of the term. The court must set the day for the defendant's trial by statute. (See post.)

Virginia.—Statute, "It shall be the duty of the judge of each county and corporation court, at least ten days before the commencement of every term of his court to set for trial on a certain day of the term each criminal case then pending." This does not apply to circuit courts. Public acts 1889-1890, 90 c. 101, p. 79.

Georgia.—Code, section 4710 provides that causes on the criminal docket shall be called in order, unless defendant be in jail, or otherwise, in the sound discretion of the court. The mere fact that the court has no authority to try cases out of this order will not invalidate conviction if the prisoner be not injured thereby.

Illinois.—On the issue of a venire in a criminal case, the court shall thereupon set the case for trial.

Massachusetts.—Chapter 193, Laws of 1884, section 1: At each term of the superior court held for the trial of criminal cases, the district attorney, before the trial begins shall make up and deposit with the clerk for inspection of all parties, a list of all cases to be tried at that term, and trials shall be had in the order of such trial list, unless otherwise ordered by the court, for cause shown in each case. See post.

Texas.—Code, Criminal Procedure, 1895, article 638, provides for the court setting a day for taking up the criminal docket. Article 646 expressly authorizes the court to set any day of the term for the trial of a capital case.

Connecticut.—There is a calendar of criminal cases published each term for which the clerk of the court relies upon the state's attorney. The state's attorney then tries the causes in such order as he sees fit.

New Jersey.—A criminal calendar cannot in the nature of things be posted. The court first deals with the prisoners in jail; and tries those as soon as indictments come in, endeavoring to keep the jail reasonably clear. Bail cases are next taken up. At the end of each week there is posted a calendar for the succeeding week, giving causes being set down for given days, putting down no more causes for a given day than can be con-

veniently disposed of on that day. Cases must be and are disposed of on the days that they are reached on this weekly calendar, unless some good cause intervenes, as the unavoidable absence of the witness, for instance. On the day calendar, at the beginning of the business of the day, all witnesses in all cases are called, discharging those in the cases that are for any reason going off, naming the date to which the cases are postponed. The district attorney endeavors, in the order of the calling of the cases to oblige counsel and accommodate witnesses so far as practicable. Calendars are made up by the prosecutor and this could not well be done otherwise, since he alone is familiar with the complications and needs of the different cases; and there would be many miscarriages if the court should arbitrarily set down cases for hearing.

Massachusetts.—Act of 1889, chapter 432, section 1: Cases may be added to such a list by direction of the court, upon motion of the district attorney or defendant for good cause shown. Public Statutes, chapter 114, section 2.

By chapter 153, section 25, Public Statutes, cases must be tried in the following order:

1. When persons are confined in jail.
2. Cases arising under the habeas corpus act.
3. Cases under the liquor law.
4. Common nuisance cases: gaming houses and houses of ill-fame.
5. Cases where the defendants are on bail.

Pennsylvania.—A calendar of criminal causes is not published in Philadelphia county. The cases to be tried are selected entirely at the discretion of the district attorney and are made up by the clerk of the court under the former's express and absolute direction. The district attorney prepares a list of cases to be tried the following day, and after such preparation that list upon the day of its date is subject to the direction of the court and is called in the order arranged for.

Michigan.—A criminal calendar of all the criminal causes at issue and not finally disposed of by court judgment is prepared

each term by the clerk of the court. Any particular fact concerning a cause e. g. forfeiture of recognizance, is noted on the calendar after the title of the cause. In practice the prosecuting attorney assigns all cases for trial and designates on a diary kept by the clerk for such purpose, certain cases for trial each day. The clerk notifies defendant's counsel and subpoenas are issued several days before the day set for trial. The assignment of cases is made a week or ten days in advance of trial. If the counsel for the defense desires his case set for any particular day, or knows that he cannot be ready after a certain future date, and the prosecuting attorney will not agree to what he considers a proper arrangement, then the defendant at any time through his counsel, may make a formal motion to have his case set or trial postponed before the court. If two or more causes are set for the same day, the prosecuting attorney announces to the court that he is ready to take up a particular case regardless of its court or docket number, and that case is taken up and disposed of, unless good cause is shown to the court why the order should be changed.

Vermont.—There is a criminal calendar called the docket. The matter of the trial of criminal cases, and when they should be tried is always under the control of the court, but this is regulated by the practice of the state's attorney, who tries cases in whatever order he considers proper.

Virginia.—It is customary after the grand jury makes its presentment to call the cases as they have been recorded by the clerk, which is the order in which they were returned by the grand jury. As each case is called it is set for trial at some future day of the same term. The terms are monthly terms in the corporation and county courts. The day selected is to suit convenience of counsel. No case is continued for more than a month or beyond the current term, unless for special reasons. On the day fixed for trial, it must be tried. If counsel cannot agree to a continuance, the matter is submitted to the court, and the judge decides the matter. He must exercise "judicial discretion" otherwise it will be error and that is a ground of ap-

peal. Where two cases are on for the same day, the commonwealth's attorney may try them in the order he sees fit.

Iowa.—The criminal calendar is prepared by the clerk of the district court. There is such an officer in every county. All cases are placed on the calendar as they are found by the grand jury or brought up on appeal from lower courts. County attorneys, with the approval of the trial judge, may try any case on the calendar they see fit. The regular order is seldom followed.

Mississippi.—Court controls the calendar, but the cases are called at the suggestion of the district attorney.

Minnesota.—By statute, jail cases must be given the preference on the calendar. A prisoner under indictment can demand his trial and the county attorney must proceed within one term of the time the indictment is found, unless the court in its discretion grants a continuance. There is no regular criminal calendar. The county attorney may try jail cases in any order he sees fit.

Alabama.—Some time before the grand jury meets, the clerk of the court furnishes the solicitor with a list of cases sent from the lower court, and the witnesses. These are entered in a grand jury book, and all other cases on separate pages, with index to cases and witnesses. The clerk issues subpoenas for the witnesses on different days during the term, about as many for a day as the solicitor can examine, and he sits with the grand jury and takes notes of their testimony. These are placed in the grand jury book. At the close of the day's examination, the solicitor retires, leaving the grand jury book with the jury, and they vote on the cases. The solicitor prepares the indictments and when they are filed, all prisoners are arraigned and their cases set for trial on a setting day. When they are filed with the clerk, he enters them in any order he chooses on the trial docket, except cases that were on the last term retain their order. On the day of arraignment and setting of cases, cases are set for such days as the solicitor chooses, without regard to the order in which they come, and if there are two indictments against the defendant for the same day, the solicitor tries the

first one he chooses. As a rule, after cases are set, they must be tried in their order. All this, however, is under the control of the court. See also Criminal Code of Alabama, 1896.

Montana.—The clerk of the court prepares the calendar in the criminal actions, in accordance with the statute, putting felonies ahead of misdemeanors and those who are not out on bail ahead of those who have given bail. The county attorney usually arranges the cases as he sees fit. This is a courtesy extended by the judge.

Colorado.—There is no criminal calendar. Some of the judges let the district attorney control the calandar and conduct the trials, some judges assert control themselves, and some of them let the defendants run things.

Florida.—The circuit court has what is called a bench and bar docket, the cases being docketed by the clerk, and when the court meets, the judge "sounds" the criminal docket, first and then the civil. The fixing of criminal trials is under the control of the presiding judge.

New Hampshire.—The clerk of the court causes to be printed on his docket all cases undisposed of at prior terms. The county solicitor makes up a calendar of all cases reported by the grand jury at each successive January, May or September term. He proceeds to trial with cases in such order as he chooses, as a general rule, but in the more important matters, a special assignment is asked for, and unless counsel can agree, the court hears the parties and fixes the date. The solicitor tries his cases in the order he deems most convenient.

Maryland.—There is no calendar of criminal causes published each term. Asignments for trial are made up from day to day by the State's attorney from the general docket in the clerk's office in the criminal court. The trial assignment is set out in full on a blotter in duplicate—one for the judge and the other for the public. The State's attorney has the right, under the supervision of the judges, to try the cases in any order he sees fit. Pleas of guilty, are, as a rule, first taken up and disposed of; then all prisoners charged with arraignable cases are arraigned;

then come the applications for postponement; after which the remaining cases are disposed of.

Illinois.—No printed calendars at all. A daily calendar for each branch of the criminal court is prepared in the State's attorney's office from the clerk's docket, in which the cases are entered in the order of the return of the indictment. This calendar is posted the day previous to the call, notice of which is given through the published law bulletins and daily newspapers. The acting prosecutor generally tries the cases in such order as he sees fit.

California.—Sections 1047, 1048, 1049 and 1052 of the Penal Code: The clerk must keep a calendar of all criminal actions pending in the courts, enumerating them according to the date of the filing of the indictment or information, specifying opposite the title of each action whether it is for a felony or misdemeanor, and whether defendant is in custody or out on bail. The issues on the calendar must be disposed of in the following order, unless for good cause, the court orders otherwise.

1. Prosecution for felony when the defendant is in custody.
2. Prosecution for misdemeanor when defendant is in custody.
3. Prosecution for felony when defendant is on bail.
4. Prosecution for misdemeanor when defendant is on bail.

Defendant is entitled to two days to prepare for trial. When the case is called for trial or before, the court may, for good cause shown, postpone the same.

Kansas.—In preparing the calendar for trial, the district judge usually consults the county attorney as to what cases he desires to try and usually leaves it with him to determine which cases he will try first.

III.

Georgia.—Code, section 4648 provides that any person against whom an indictment is found, for an offense not affecting his life, may demand a trial at the term when the indictment is found, or at the next succeeding term thereafter, or at any subsequent term, and, if such person shall not be tried at the term

when the demand is made, or at the next succeeding term thereafter, then he shall be absolutely discharged.

Missouri—1889, Secs. 4222, 4225, provide that if any person indicted and committed to prison shall not be brought to trial before the end of the third term he shall be entitled to be discharged.

Iowa—Code, Sec. 4614, provides that where the trial has not been postponed upon defendant's application if he be not brought to trial at the next regular term of the court in which the indictment is triable after the same is found, the court must order it to be dismissed, unless good cause be shown to the contrary.

South Carolina—Sen. St. Sec. 2323 provides that where a person committed for treason or felony, on his petition in open court to be brought to trial is not indicted and tried the second term after his commitment, he shall be discharged from imprisonment.

Colorado—Mill's Crom. St. Sec. 2113 provides that any prisoner not admitted to bail who is not tried on or before the second term of the court shall be discharged, unless the delay was on his application.

Washington—An information must be dismissed if defendant be not brought to trial within sixty days after the information is filed unless good cause be shown to the contrary. 2 Hill's Code, S. 1369.

Nebraska—Code, 390 and 391, provides for discharge admitted to bail of an accused who shall not be brought to trial before the end of the third term of the court after the finding of the indictment, exclusive of the term at which the indictment is found.

Montana—Crim. Pr. Act, Sec. 303, provides that if a person indicted for an offense and committed to prison shall not be brought to trial before the end of the second term of court after the finding of the indictment, he shall be discharged.

Illinois—Sec. 438, Crim. Code, prisoner must be brought to trial within three terms after indictment, exclusive of the term in which he is committed or admitted to bail.

Missouri—Rev. St. 1879, Secs. 1922, 1923, provides that one accused of crime must be brought to trial within a certain time or discharged.

Illinois—Crim. Code, Div. 13, Sec. 18, provides that any person committed and not bailed or tried at or before the second term shall be discharged.

Kansas—Crim. Code, Secs. 220, 222, provides that one under information of crime and committed to prison is not brought to trial before the end of the second term of the court having jurisdiction, held after such information is filed, he is entitled to be discharged. In preparing the calendar for trial, the district judge usually consults the county attorney as to what cases he desires to try, and usually leaves it with him to determine which cases he will try first. It is simply custom.

California—Pen. Code, Sec. 1382, enacts that a prosecution shall be dismissed if a defendant, whose trial has not been postponed upon his application is not brought to trial within sixty days after filing the information.

Virginia—Act 1877-78, p. 339, provides that a person charged with a felony, appearing in court at the first term according to his recognizance or in custody, "shall unless good cause be shown for a continuance be arraigned and tried at the same term."

Minnesota—Under General Statutes of 1894, Sec. 6279, provides that if an indictment the trial of which has not been postponed on defendant's application is not tried at the term of the court at which it is first triable it shall be dismissed unless good cause be shown to the contrary.

Wisconsin—The grand jury is regarded as unnecessary, and only called on special occasions by an order of the court. A criminal case is very seldom begun by an indictment, but by an information. After a person has been held to bail, charged with an offense not punishable by the magistrate, and held for trial, the district attorney, pursuant to statute, investigates each case and files an information for a warrant. If the facts are insufficient to warrant prosecution, he does not file an information, but files instead thereof reasons for so doing.

When there seems to be a public demand for a grand jury, as, for instance, the examination into charges of bribery and corruption, the judges provide for one, and the grand jury is not limited

to the matter which the court and district attorney present, but can take the initiative. Some of the counties have no special criminal court. The circuit court tries civil and criminal cases.

There are six terms a year of their criminal courts, each one running two months. On the first Monday of each new term, the court has a general call of the calendar to find out what cases the district attorney desires to have put on the calendar. Then the list is made up, the calendar is printed, and the next morning the district attorney takes up such cases as he has previously notified the court he would try on this day. The control of the calendar as to what cases shall be tried and when, remaining entirely with the district attorney, except when the court orders a continuance for good cause shown.

ELMER S. WHITE, being recalled and further examined, testified as follows:

Examined by Mr. Moss:

I am a lawyer; I have been interested in the indictment of the People against William E. Forrest, for grand larceny in the first degree—misappropriation.

Mr. Moss—I would like to have marked for identification the indictment in the case filed March 18, 1898.

(The indictment is marked "For identification, Exhibit 1, November 1, 1899.")

The Witness—William E. Forrest had been a physician, but abandoned his practice, and, contemporaneous with the Dean scheme, and swindle, instituted its counterpart, and was conducting it at No. 50 Broadway, when the exposure of that scheme came out.

By the Chairman:

That is the E. J. Dean company.

By Mr. Moss:

It is similar to that. That is, the scheme of forming syndicates of people all over the country, by mail, for gambling in stocks. As near as I can discover from the records which, on behalf of some of the swindled people, we seized in that office, he must have received something like $100,000 from people all over the country. When the Dean swindle was exposed he quit the business and became a fugitive from justice, a fugitive from the people whom he had swindled. My firm represented a considerable number of those people who had been swindled, and we kept after the fellow and hunted him up and finally located him at Los Angeles, California. It was our information that he was about to go to the Klondyke. Finally located him, after the expenditure of considerable money and time, at Los Angeles; and that he was engaged in a swindling scheme there at Los Angles at that time. We immediately went before the district attorney and the matter was turned over to assistant district attorney O'Reilly, and one of our clients, Robert J. Freeman—his particular loss of several thousand dollars was the subject of the indictment. The complainant in the case on which the former indictment was found was Alexander McElwee. Extradition papers were obtained from Governor Roosevelt and Detective Sergeant Price, at the expense one-half of the private parties interested and one-half of the people, went to Los Angeles and arrested Forrest, and successfully defended habaes corpus proceedings in the State court and the United States court. Before going any farther, there was a discussion with the district attorney as to whether Freeman or McElwee should be the complainant. The question was whether it was a larceny of Freeman's money or McElwee's stock. As I remember it, McElwee had deposited stock or had given Forrest stock to sell and return the proceeds to McElwee. Forrest, holding that stock, gave it as security—or pretended to do so—to Freeman for money advanced by Freeman to Forrest for stock gambling, and the question of course which came before the district attorney before the finding

of the indictment was, what had been stolen—the money or the stock? In the discussion of that question, Mr. O'Reilly represented the district attorney's office; and at a latter period, and before Detective Sergeant Price had gone to California, a young man in the district attorney's office, Valentine Carlton; and he determined to make a case upon the complaint of Mr. McElwee; that is the name upon the back. That was the result of that discussion and of the district attorney's judgment. Then the State was put to the expense of sending a detective out. First, of getting extradition papers; then of sending a detective out to Los Angeles to get the man. If my memory serves me right, it must have cost between three and five hundred dollars, of which I think $150 were contributed at the request of the district attorney by the parties interested in bringing Forrest back, and whom we represented. Well, the district attorney said the case was one of grand larceny, and that the distance to Los Angeles was great; that he would hardly feel justified in expending all of the money necessary for that purpose from the money of the people, considering the grade of the crime, and it appealed to the people prosecuting the complainant, whom we represented—it appealed to them as reasonable; that it would be proper. I have no knowledge how that $150 was applied that was contributed by the complainants. I simply know it was paid to the district attorney's office. I think to Detective Sergeant Price directly. Whether by check or cash I do not know. He was attached to the detective staff, and at the command of the district attorney. He was simply assigned to duty in the district attorney's office. My recollection is that the check was handed to him, although it may have been delivered into the district attorney's office. The check of Furlong, White & O'Connell, as I remember it. I have not that check now. There was some discussion with McElwee before Price went. McElwee, after the indictment had been found, and when Price was about going to Albany to get the requisition papers, evidenced a desire to back out; but the time which we had to act in order to anticipate Forrest in his flight to the Klondyke was so small that there was no opportunity for the

finding of any other indictment, and Price went to California with the understanding very clear, very clear indeed, that it was unlikely that Forrest could be prosecuted on McElwee's complaint; that other indictments must be found, of which we had the material for any number. That understanding was with the district attorney's office. It was well understood then in the district attorney's office that the McElwee complaint was to be used for the purpose of the necessary proceedings to bring the man back. That the indictment was a tentative one. And that when the man was brought back on McElwee's complaint, then other indictments would be found upon the complaints of other persons that had been swindled. And there were other persons standing ready to make those complaints. Undoubtedly so. We represented them. The strength or the weakness of the case, the prospects of the prosecution were all considered between us and the district attorney's office before Mr. Price was started off to get that man. It was clearly understood, everything. There was no doubt whatever expressed by the district attorney's representatives, about the propriety of the prosecution, and the advisability of bringing the suit. And here was a man who had swindled thousands of people all over the country; who fled from this city, a fugitive from justice; and at that time I have no doubt you, Mr. Moss, and the gentlemen on the committee, know the public excitement which arose from the Dean swindle; and the Forrest swindle differed from it only in point of magnitude. He was not quite as large, but equally a manace to the community wherever he was. He was a man that public policy demanded the incarceration of and separation from the public. The district attorney or his representatives appeared to be interested and earnest in the case when the indictment was found; very earnest. There was no doubt whatever expressed at all about the prospect of a conviction. Mr. Moss, the district attorney sent a representative to California to bring that man here for a trial. Whether Detective Sergeant Price employed counsel out there I do not know. Forrest fought the extradition most vigorously in California; appealed not only to the State court, but to the

United States court, and unsuccessfully. In spite of all that he was brought here, and his plea of not guilty was entered, according to these papers, on the 13th of April, by his counsel, Vernon M. Davis. The indictment was filed March 18th. On the 13th of April, the following month—less than thirty days; not twenty-five days—he was here and pleaded not guilty. Then there was rapid and vigorous and successful work in getting him here, and there is no complaint on that score; none whatever.

Q. What was the next step in this proceeding?

The Witness—Do you mean that I knew anything of?

Mr. Moss—That you knew anything of? Or that you now know anything about? I want you to try to follow the case, according to the dates?

The Witness—The first I knew was a communication made to me, I think, by one of my partners at the time, that Forrest had been liberated, discharged, on his own recognizance.

Q Was that entirely without notice to you? A. Entirely so.

Q. Why, you had consulted with the district attorney about the getting of the indictment; you had laid the matters about this large swindle before him; you had supplied him with information about other persons that had been swindled and were willing to be complainants; you had—I think I am correctly stating your testimony—laid the matter before him in such a way that extradition was obtained; the money of the State and the money of your client had been expended in bringing that man here. Do you mean to say that the next thing you heard was his dismissal? A. Absolutely.

Q. How do you account for a dismissal of the man under such circumstances as that, without any intimation to you? How can you account for it? A. In no way that I can definitely explain. I suppose—well, I regard it as one of those mysterious ways in which Providence works sometimes. That is about all I can say about it

Q. Do you think "Providence" did that? A. Well, I could not account for it in any logical or rational way. It seemed to me utterly inexplicable that a man who had committed crimes of the enormity with which Forrest could be charged at the bar should be liberated by the district attorney, who had sent across the American continent to bring him back, without so much as a word to the counsel for the complaining witnesses. It is incredible; I cannot explain it or understand it at all.

Q. Well, was he not reindicted? A. Not at all. A letter was written by my firm to the district attorney, stating that we had heard of this, requesting an interview.

Mr. Moss—I have the letter here. Will you read it? Is that it? I find it among the papers.

The Witness—That is the letter, yes, sir.

Mr. Moss—(reading) This is dated May 6, 1898. Before reading the letter I suppose I ought to read from the indictment itself, and from the indorsements upon it. The first indorsement that I will read is signed by Robert Townsend, assistant district attorney:

"From a full and careful examination made by me in this case I find that there is absolutely no evidence upon which to base the indictment. The papers filed here show that the money mentioned in the indictment did not belong to the complainant but was given to the defendant by one Freeman for the purpose of speculation, and it was used by defendant according to instructions. The witness Freeman it appears gave a receipt to the defandant acknowledging the receipt by him of collateral security for the deposit of the money mentioned in the indictment. From no point of view can I see that the defendant has been guilty of any crime, and for the support of this recommendation the court is referred to the statement of defendant and the complaint filed herewith. I have also seen certified checks of the defendant on the Fourteenth street bank, April 6 and 16, 1897, showing that he paid $5,500 of the

money claimed to have been stolen, over to J. D. Whitney & Company, and to the complaintant McElwee. In view, therefore, of the foregoing I recommend the dismissal of the indictment. Robert Townsend, assistant district attorney, May 5, 1898."

Then this further indorsement:

"I concur in the foregoing recommendation of Assistant District Attorney Townsend for the dismissal of this indictment, for the reasons stated. Dated November 29, 1898. Asa Bird Gardiner, district attorney."

The further indorsement:

"Part III, May 5, 1898. On motion of the district attorney, discharged on his own recognizance. R. B. C., J." [meaning R. B. Cowing, justice.] "Indictment dismissed."

The Witness—Will you let me have that indictment?

Q. Yes. You have already testified that in your discussions with the district attorney it was well understood that this indictment was to be used mainly for the bringing of the man on, and that if it was determined that there was not sufficient to put him on trial in that particular case there were other complainants upon whose cases other indictments could be found? A. Yes, sir. That was thoroughly understood.

Q. All of those questions were discussed and considered before the officer was sent across the continent to get the man? A. Yes, sir.

Q. The merits and demerits were all there; the complaint before the magistrate was in the hands of the district attorney; everything referred to in Mr. Townsend's indorsement was before the district attorney long before Price was sent to California? A. And not only that, Mr. Moss; I notice from your reading of the indorsements that one of the reasons given for the discharge of Forrest was that he had paid some money to

J. D. Whitney & Co. Now, the district attorney well understood—we had made it very clear; I had made it very clear to the district attorney's representative—that J. D. Whitney was W. E. Forrest; that there was not any legal difference between the two; that while Forrest pretended not to handle the money but merely to act as the agent for the subscriber in directing the way in which J. D. Whitney & Co. should invest the money on the market, still they were indissolubly bound together, and that, although the distribution of the proceeds of this business was not open, it was actually and behind the scenes.

Q. If it had been important to consult with you before spending your money, and the State's money, to send for that man, can you imagine any reason why it was not important to consult with you before discharging him? A. Why, no, I cannot.

Mr. Moss—Mr. Chairman, there is this further remarkable fact in this case. Mr. Townsend, in his indorsement, says that he moves partly upon the statement of the defendant.

The Chairman—Yes, I notice that.

Mr. Moss—Here in the papers is the statement of the defendant made in his own behalf, signed by him, not in court and not even sworn to.

The Chairman—That is the defendant's statement.

Mr. Moss—That is the defendant's statement, signed by William E. Forrest, in which Mr. Forrest, accused of this great crime, is allowed to come before the district attorney and make his defense in writing over his own signature, not before the court, not in the presence of the complainant, not even sworn to before a notary public, not even sworn to before an assistant district attorney. Here it is. I offer it in evidence:

(The paper is marked "Exhibit H," and is as follows:)

The People of the State of New York, Plaintiff, against William E. Forrest, Defendant.

Being under indictment in the above named cause for the alleged larceny of fifty-nine hundred dollars ($5,900), I submit the following as a true state of facts, as they actually occurred, and concerning which this indictment was found:

In February, 1897, I was doing business as a broker at No. 50 Broadway, New York city, under the firm name of W. E. Forrest. During that month Alexander McElwee, prosecuting witness, brought to me certain shares of the National Bonsilate Button Company stock, asking me if I could get him a credit of twenty-five hundred dollars ($2,500) on the deposit of this stock as a collateral security with either one of the brokerage firms with which I was doing business. I referred him to the senior partner of two firms in good standing on the consolidated exchange, namely, A. McKiney & Company, of No. 47 Broadway, and J. D. Whitney & Company of No. 50 Broadway.

I was subsequently informed by McElwee that he had seen both firms and had left his stock with J. D. Whitney & Company. About April 2, 1897, some 5 or 6 weeks after the interview with McElwee, A. W. Nesbit, the head of the firm of J. D. Whitney & Company informed me that he had made satisfactory arrangements with McElwee for the use of said stock as collateral security. He, A. W. Nesbit, then sent the stock to me by a messenger and instructed me to hand it to A. J. Freeman, when said Freeman should make a certain proposed investment with J. D. Whitney & Company in a wheat transaction. This stock was to be given as a security for the solvency of the firm of J. D. Whitney & Company and for no other purpose. On April 5, 1897, said Freeman in accordance with the above agreement, brought to me checks for $5,900, with instructions to hand the same to J. D. Whitney & Company to be added to his account with them. In accordance with the previous instructions from Nesbit, I handed the said stock to the said Freeman and took a receipt therefor, which receipt I have in my possession. No money was paid by Freeman as a

loan on this stock or for its purchase. On April 6, 1897, the next day, I gave to J. D. Whitney & Company $5,000 of the money deposited by Freeman, and by their instructions, I paid to McElwee $500. By instructions of J. D. Whitney & Company, I retained $400 for my commission, and for commissions previously due me by this firm. I was entitled to $400 commissions, and this sum was every dollar that I ever got of the said $5,900 directly or indirectly or in any manner whatever. Freeman, I am informed and know from his own statement, received a notice from J. D. Whitney & Company that he was credited by them with a deposit of $5,900 as an investment in a wheat transaction. This completed the transaction so far as I was concerned. Throughout the whole negotiation, I acted in good faith and with absolute honesty in the capacity of a friend or agent in the transaction between the said Freeman and J. D. Whitney & Company. I did not then, or any subsequent time profit or expect to profit from the transaction, except that I should be paid the usual commissions. I had every right to believe when this stock was sent to me by J. D. Whitney & Company that they had a right to use it as they did, and its use was legitimate. In fact the said Nesbit, the head of said firm of J. D. Whitney & Company expressly so informed me.

WILLIAM E. FORREST.

Mr. Moss—Now I will read this letter. It is on the letterhead of Furlong, White & O'Connell, attorneys and counsellors at law, 346 Broadway, New York Life Insurance Company building, New York, May 6th, 1898:

PEOPLE AGAINST FORREST.

Col. Asa Bird Gardiner, district attorney, Criminal court building, New York city:

Dear Sir.—We learn accidentally that Mr. Townsend of your office on a motion by Vernon Davis, as counsel for the defendant, recommended the dismissal of the indictment herein and if this is correct we presume the defendant was discharged from custody.

In view of the fact that it was distinctly understood between yourself and our Mr. Furlong and Mr. White that this case would be carried to trial by your office, the dismissal of the indictment without any notice whatsoever to us, we are unable to understand.

When you had assigned this case to Mr. Osborne, the assistant district attorney in charge thereof, we desired to go into the matter with him at the first opportunity and had arranged with him to hand him a statement of this case together with other matters against the defendant for which additional indictments were to be found, and it was understood that the present indictment was merely to be tentative as it was explained to you at the time after indictment that we suspected the complainant had been approached, all of which was known to Detective Sergeant Price who originally had charge of the matter.

Assistant District Attorney McIntyre met Mr. Furlong a few days ago and stated that the complainant had seen you and had in some way compromised his former affidavits, some of which are in our possession and it was then explained to Mr. McIntyre that it was intended to find additional indictments on other matters against this defendant.

As you are aware this defendant was extradited from California at considerable expense, where he had fled from this city, and we specially understood with you that there should be a vigorous prosecution and as we have relied upon this and have acted throughout in entire good faith with your office, we should be pleased to have a consultation with you in reference to this matter.

Mr. Furlong will call upon you at 10 o'clock to-morrow, Saturday morning, 7th inst.

Yours very truly,

FURLONG, WHITE & O'CONNELL.

Q. Was there a consultation with Mr. Gardiner in accordance with that letter? A. I believe Mr. Furlong called on Col. Gardiner, but I was not with him. I do not know what occurred except through Mr. Furlong's statement to me.

Q. What did you understand had occurred? A. I understood that Mr. Furlong represented the serious disappointment which we had suffered, our complainant had suffered, in having no opportunity to convict this man of the crimes he had committed; and the district attorney expressed some regret that the man had been discharged; said that had the facts been known it would not have been done; expressed a great willingness to try the criminal if we could discover him, if we could apprehend him. We have never heard of or seen him since; never heard from him and have no idea where he is. Naturally the man that was brought from California here to stand trial for these things, who fled from this State in the first instance, without any specific charge on the record against him—as soon as he was liberated I suppose he ceased to be a citizen of New York State at once.

Q. He took leg bail? A. I suppose so.

Q. Then you had Col. Gardiner's profession of regret, expressed in his amiable way, and the disappearance of the defendant, and that is all there has been about that case, is it not? A. Yes, sir; and to charge our contribution to bringing him back to profit and loss.

Q. And your own services in the bargain? A. Oh, they were not to be considered, Mr. Moss.

Q. When you were here before you were telling us about that prosecution against Mr. Schlesinger?

The Witness—Yes, sir.

Q. (continued). Or at least that which was not a prosecution against Mr. Schlesinger?

The Witness—A nominal prosecution.

Q. (continued). And that had laid there for so long. Has that since been tried? A. The indictment went to trial on Tuesday, a week ago. There was a convicition on Friday, about 6 o'clock.

Q. Then Schlesinger was put on trial promptly, after you appeared here, wasn't he? A. Well, comparatively speaking, yes,

sir. I suppose there were some two or three weeks which elapsed. I knew when the trial was going on, because I heard of it through one of the men who had been subpoenaed as a witness. I was not informed by the district attorney. I went up there on that morning, from this information that I had received through a witness, and I believe that at that time, to be perfectly fair with the district attorney's office, there was a letter on its way to my office, but we passed each other without connecting.

Q. Your insistence upon the trial of that case had its justification in a verdict of guilty, did it not? A. A verdict of guilty, yes, sir.

Q. And a sentence of what? A. One year in the penitentiary.

Q. Has he gone there yet? A. I do not know. I think not.

By Mr. Hoffman:

Q. I notice upon the indictment the indorsement of Mr. Townsend, in which he says: That fifty-five hundred dollars of the money, when the indictment charged larceny of fifty-nine hundred dollars, was paid to the complaint. Is that statement correct? A. I don't know. I understood that indorsement to be a payment by Forrest to J. D. Whitney & Co.

Mr. Hoffman—The indorsement reads: "I have also seen certified checks of deposit on the Fourteenth Street Bank, April 6, and 16, 1897, showing that he paid fifty-five hundred dollars of the money claimed to have been stolen, over to J. D. Whitney & Co. and to the complainant, Mr. McElwee." Did you appear for Mr. McElwee?

The Witness—No, sir.

Q. Did you appear for J. D. Whitney & Co? A. No, sir. J. D. Whitney & Co were Forrest's right hand. They were Forrest.

By Mr. Moss:

Q. The defendant? A. The defendant.

By Mr. Hoffman:

Q. You do not know whether this fifty-five hundred dollars was, as a matter of fact, paid back to the complainant or not? A. I do not, no sir. I do know that this man was liberated when it was quite possible to have had many indictments against him.

Q. Did you know the law to be that a person extradited for a crime from another State cannot be indicted upon other charges after the other indictment has been disposed of? Do you so understand the law? A. I know of no rule of law, or statute, which forbids it—where the man charged is a citizen of the State which procures his indictment.

Mr. Moss—Now, I call the attention of the committee to the case of the People against Albert Frohmer and Charles Meyer, indictment filed September 21, 1898, for burglary in the third degree. The information before the magistrate is made by John M. Rockwell, of 127 Lexington avenue, liquor dealer. He testifies that the defendant entered his premises forcibly by breaking a large pane of glass on Sunday, at the side of the store, and making an opening large enough to admit a human arm, thereby opening the door, and that upon the 27th day of August, 1898, in the night time, he took from the premises wines and liquors to the value of about five thousand dollars. On the face of the indictment are these two indorsements:

No. 1, that is, Albert Frohmer: "Tried and convicted of burglary, third degree, October 6, 1898."

No. 2, that is, Charles Meyer: "Tried and acquitted."

So that it appears upon the indictment that Albert Frohmer was tried and convicted. Then there is this indorsement, signed by Theron J. O'Connell, deputy assistant district attorney, and concurred in by James J. Grady, assistant district attorney.

"The defendant, Albert Frohmer, was tried by myself before the Hon. Joseph E. Newberger, in part I, general sessions, September 27, 1898, and the jury convicted him of the crime of

burglary in the third degree. On October 6, 1898, the defendant, Charles Meyer, was tried before the Hon. James Fitzgerald, in part I, general sessions, Assistant District Attorney Hennessey prosecuting. The jury acquitted the defendant Mayer. I was present at the second trial, and from the evidence adduced at that time the defendant Mayer swore that Frohmer was never with him. And from the fact that the jury did believe him, I have grave doubts in my mind as to Frohmer's guilt. And for the further reason that the said Frohmer was arrested, not at the time of the commission of the crime, nor at the place of the commission of the crime, but was arrested a few blocks away from the place where the alleged crime was committed. Also that the defendant has borne a good reputation heretofore. I would consent that the defendant Frohmer be given a new trial, and if granted I do not believe that he could be convicted, as the fact that Meyer was acquitted would influence the trial in the second trial, and I believe the ends of justice would be promoted by discharging the defendant on his own recognizance, and I so recommend.

"THERON J. O'CONNELL,
"Deputy Assistant District Attorney."

"I concur. JAMES J. GRADY."

Mr. Moss—The date of the conviction of Frohmer was September 27th. The date of the acquittal of Meyer was October 6th. The date of the recommendation is October 12th; and the indorsement, October 12th, by the justice, is as follows:

"Part III, October 12, 1898. On motion of counsel for the defendant, and with consent of the district attorney, a new trial is granted and the defendant is discharged on his own recognizance. J. E. N."—meaning Newberger.

(The paper is marked "For identification, Exhibit 2. November 2, 1889.")

ABRAHAM I. ELKUS, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am a partner of Col. James, in the practice of the law in this city. I presume what you refer to is the case of the People against Ernest M. Welsh. Welsh was the attorney for the guardian ad litem of a boy named Lecs. He was indicted. Welsh was indicted by a grand jury. I have been defending Welsh. Mr. Welsh had this action on behalf of the boy who was injured, and this action was against Everard's Brewery. In the course of that action a complaint was made against Mr. Welsh. Subornation of perjury in connection with this very case. The Everard Brewery was the active prosecutors of the charge against Mr. Welsh. The action had been tried and the judgment set aside, and Mr. Welsh was indicted. We had nothing to do with the action. We were simply counsel for Mr. Welsh.

By Mr. Hoffman:

Q. By what justice was the judgment set aside in the civil action? A. I think it was Judge Hirshburg. I was not in it. In the Second Department. The indictment for perjury arose out of the setting aside of that verdict. And the testimony given on the trial in which the verdict was set aside.

By Mr. Moss:

There was a witness in that case named Schoen, Henry Irving Schoen. I think he was an eyewitness of the accident. That boy was served with a subpoena to appear before the grand jury. I saw the subpoena. I do not know what signature it bore. I recognized it as one of the regular forms. As the form used. Issued by the district attorney to require the attendance of witnesses before the grand jury. The boy said he did actually go to the district attorney's office. He said he was not taken before the grand jury. He was taken to one of the assistant district attorney's offices. So he told me. When I say it was a grand jury subpoena, it may have been an ordinary subpoena, requiring him

to attend in court. It was a printed form that they use up there. It was a subpoena issued through the district attorney's office. The boy met, according to his statement, Mr. Gray, the assistant district attorney. He said there were some other people there. I don't remember. I think he said Mr. Julian was there. Somebody connected with the railway company. The boy made a statement to me that they asked him a number of questions as to what took place at the time he saw the accident, as to how he came to testify, and he answered them. They then got him to make, or he made an affidavit for them, which he signed and swore to. That subpoena—I don't know what became of that. There were two subpoenas. He was again subpoenaed, with the same kind of subpoena, after this had happened. Colonel James and myself went to Mr. Gardiner, the district attorney, and showed him the second subpoena. He said it had been issued without his authority. He said he would investigate the matter. We left the subpoena with him. I subsequently learned that he did investigate the matter and the subpoena had been issued without the authority of the district attorney's office. I don't know who issued it. I think it is fair to say that Mr. Gardiner was very indignant over the matter. He recognized that it was an improper use of the subpoena. He admitted that. He said it was entirely unauthorized, and he was very glad we called it to his attention. I only know by hearsay what happened, and I have not a very good knowledge of that. It simply came to me that the person who was at fault presented a good excuse. That is, he did it in a reasonable way, and he was severely reprimanded for it, anyhow. That was not Mr. Gray. No, I understand not. But it was Mr. Gray who examined that boy. This was subsequent to that. I understand it was not an assistant district attorney. Somebody outside of the office, who presumed he had authority from some things that had been said or done.

Q. But that does not account for the assistant district attorney conducting the examination? A. I think perhaps you are slightly in error.

Mr. Moss—I would like to be corrected if I am.

The Witness—The subpoena to which I refer, which we had, was not the subpoena which was served on the boy when he was called to the district attorney's office and made his statement. That was done before we had anything to do with the case. But after that they learned that we had seen the boy and had obtained a statement from him as to what took place in the district attorney's office. At least I presumed they did. They issued another subpoena, and that is the subpoena to which I refer. The boy did not go to the district attorney's office, because I told him not to. That was the subpoena we called to Mr. Gardiner's attention, and about which he took the action to which I have referred.

Q. But did you call his attention particularly to the first subpoena? A. I did not see it. I don't know whether there was one or not. I don't know now, to be sure, whether the boy said there was or not. I know he was taken to the office. He was sent for and taken there, but whether he was taken under subpoena or not I do not know.

Mr. Moss—Now I will call the attention of the committee to the case of the People against Julian Pudner, Joseph Goldberg and Louis Goldberg for burglary in the first degree. The indictment is dated October 30, 1896. It appears to have been called five times, May 10, 1899, June 15, 1899, June 29, 1899, October 5, 1899 and October 13, 1899.

(The paper is marked "For identification Exhibit No. 3, November 2, 1899.")

Mr. Moss—The defendant Pudner is on bail. Upon the papers is this affidavit by the father of the defendant Pudner.

"Harris Pudner, being duly sworn, says that he resides at No. 131 Ridge street, in the borough of Manhattan, city of New York; that he is janitor for Harris Cohen & Brother in said premises; that he is collecting rent for the parties aforesaid and is the

father of Julian Pudner, indicted as Julian Pudner; that his son is of age twenty-one years, and has never been arrested before; that this is the first time any charge of any kind has been made against him. I know of my own knowledge that my son's attorney has made many efforts to try this case, while my son was in this country. He left to obtain employment in Johannesburg, South Africa, about July 1, 1898. After July 1, 1898. That very nearly two years had elapsed between the time of the arrest and the time my son left this country as aforesaid, and during said time my said son and his attorney were always ready to try the case.

"Deponent further says that during said two years my son was unable to find said employment on account of the indictment herein. That deponent, the father, was informed by the defendant, his son, that he could not enter such in this city; that as the district attorney did not try him he, the defendant, must go where he could get employment; that staying here and waiting for trial means starvation.

"That he received a letter from my nephew, one Jacob Eltman, of Johannesburg, South Africa, who stated that he would take him in his employ, and thereupon deponent advanced him the money for his expenses and passage; and the defendant left for the place aforesaid, and before leaving also informed the deponent that any time he was wanted he would return, if sufficient time was granted to him; that deponent, since the last adjournment, wrote the defendant that he expects the case to come to trial.

"That deponent, since the last adjournment, wrote defendant that he expects the case to come to trial, and recently received a reply that the defendant was not well; but as soon as he recovered sufficiently to be able to travel he will start for this city to stand trial. Therefore deponent prays that sufficient time may be granted to enable the defendant to appear for trial."

This affidavit is dated May 11, 1899, and is put in by Aaron Levi, counsellor-at-law.

Mr. Moss—The date of the indictment is October 30, 1896. The date of this affidavit for an adjournment is May 11, 1899.

Mr. Hoffman—You will remember district attorney Gardiner was not district attorney then.

Mr. Moss—Now you are spoiling my collection of dates. I will try it over again.

The indictment is dated October 30, 1896. The case is first moved for trial May 10, 1899. The affidavit of the defendant's father is May 11, 1899, for an adjournment. Since then the case has been adjourned to June 15, to June 29, to October 5, to October 13, but with that plain evidence that the defendant has jumped his bail the bail has not been forfeited.

Mr. Hoffman—What was the indictment for?

Mr. Moss—Burglary.

Mr. Hoffman—What was the amount of the bail?

Mr. Moss—$1,500.

Mr. Hoffman—You ought to find out from district attorney Olcott why he did not try that case during the latter part of 1896 and the whole of 1897?

Mr. Moss—If he were in office I certainly should ask him about it.

Mr. Hoffman—Olcott was the district attorney in 1897, for the entire year. He was appointed in 1896 by the governor of the state to succeed Colonel Fellows who died.

Mr. Moss—The affidavit states that the defendant remained in the city awaiting trial for two years. That would carry it into 1898. He did not depart for Johannesburg until sometime in 1898.

Mr. Hoffman—What was the date of the indictment in 1896?

The Chairman—October 30, 1896.

Mr. Moss—Now, I think we should see the nature of this case before passing it over. The information was in the Fourth City Magistrate's Court; and is on the complaint of Moses Shedlinsky, who stated that his premises, No. 239 East Sixtieth street, were burglariously entered, by forcibly prying open the inner basement door October 6, 1896, in the night time, and that there was attempted to be taken, stolen and carried away jewelry, silverware, wearing apparel and movable property of the value of fifteen hundred dollars, and that they were attempted to be taken away Julian Pudner, Joseph Goldberg and Louis Goldberg, now here, still acting in concert with each other. I will have that marked for identification.

(The paper is marked "For identification Exhibit No. 4, November 2, 1899.")

A. H. HERTS, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the manager of Friedman Brothers, 565 Broadway, manufacturers of ladies cloaks and suits. Our firm suffered a loss in the stealing of goods amunting in the neighborhood of four thousand dollars.

Mr. Moss—I offer in evidence an indictment in the people against Simeon Sussman, and Herman Blustein, Joseph Kauffman, and Joseph Klodowsky.

The Witness—There is still another—Abraham Schneider.

Mr. Moss—He is not in this indictment.

The Witness—Then there must be another indictment.

Mr. Moss—Yes. The indictment is for receiving stolen goods. It was filed October 14, 1898. It appears to have been called May 22, 1899, May 26, 1899, October 9, 1899, October 30, 1899. I will have it marked for indentification.

(The paper is marked "For identification, Exhibit No. 5, November 2, 1899.")

The Witness—I think it was in September last year we had a man in our employ by the name of Schneider, a contractor, who got away with about between thirty-five hundred and forty-five hundred dollars worth of goods; and I went to the Essex Market police court to get a search warrant from Judge Mott, I think, and he refused it to me, notwithstanding I told him I could locate the goods. However, I did not get it. I went to police headquarters, and saw Captain McClusky. He detailed Detective Sergeants Read and Holland and through them I recovered most of the goods. I found them in different depositaries; we found some of them in the house of this man Kaufman. The sergeant arrested Blustein Saturday night, and we found some in his house, some in Sussman's house, and the balance we traced to Buffalo. Detective Holland went to Buffalo with one of the men in our employ, and arrested this man Kaufman and the other fellow—I don't remember his name. Klodowsky, is it?

Mr. Moss—Yes.

The Witness—Arrested them in Buffalo with the goods in their possession, while they were selling them to the merchants in Buffalo, right on the main street there. We got a search warrant from Judge Simms, and brought them back here. I went before the grand jury and had them indicted. I want to say at the same time, if it is not out of order, that I had a great deal of trouble to get Judge Simms to hold them even after we found them with the goods in their possession. I was compelled to employ an attorney to draw up the papers, even after we found the goods in their possession.

Mr. Moss—There are clerks in the court to draw those up?

The Witness—Yes, sir; I never got so much abuse in my life, as I did there.

Mr. Moss—Tell me about that.

The Witness—When I went to Judge Mott to get the search warrant, you would have thought I was the culprit; and I got the same treatment when I went to the Tombs police court. I employed Mr. Steckler to see that these men were prosecuted. The only decent treatment I really got in the whole place was at police headquarters, from Captain McClusky, and these men who worked diligently to secure these goods and arrest the prisoners. I have had thorough cooperation from Captain McClusky. And located not only the defendants but the goods, and found some of the defendants engaged in selling these very goods which I identified. Now, the principal man, the culprit in this case, is a man by the name of Schneider. I presume you will find another indictment against him for larceny. I located him, through Captain McClusky's office, in Cleveland, and the district attorney, Mr. Gardiner—I called on him and asked him if he would assist us in getting this man back from Cleveland, and he very kindly did so. We brought this man back from Cleveland and he was indicted also. Brought back on a bench warrant. I had him indicted before he was brought back. I had the five of them indicted at one time. We brought Mr. Schneider back, and I believe he gave bonds, and that is the last time I seen him. I went down five times, and they never put in an appearance. I was called to court. The case being on the calendar. The case was actually called by the judge. I mean to say the defendants were not there. I don't think anyone appeared for them. And these cases were adjourned by the district attorney, without the appearance of the defendants. The only defendants that appeared were Kaufman and this young fellow—what is his name? Klodowsky. Substantially Sussman and Schneider never put in an appearance. Yes. I am mistaken. Pardon me. They did

put in an appearance, one day. At one time they were called and Sussman substantially put in an appearance, and the case was adjourned, I think, and then afterwards they skipped. I understand they are all in London. So I have been told.

Mr. Moss—No bail has been forfeited.

The Witness—That I really don't know.

Q. Nothing appears upon the papers to show any such thing. Were you offered any money to drop this case? A. Oh, yes. We have been called upon by several people who asked us—who offered to reimburse us to drop the case, and we refused to do it.

Q. Have you any reason to know anything about the character of the bail that was furnished? A. Not the slightest. I know nothing about it.

By Mr. Hoffman:

Q. What was the date when the case was last upon the calendar in general sessions? A. I was there day before yesterday, October 30, this year. That is right. I was there day before yesterday, when this man Kaufman, who, I believe, put in an appearance, and we asked for an adjournment then because we were informed that one of the defendants had come back to this country, and we thought we would get this man Kaufman to tell us where he was, and we asked for an adjournment for one week.

Mr. Moss—This case has been pending for a little over a year, now.

The Witness—Yes, sir, since September, 1898.

By Mr. Hoffman:

Q What did Judge Mott say to you when you made this complaint? A. I will tell you just exactly what he said. I went up there. I went to see Captain O'Keefe, first, at the Delancey street station house. I was referred to him as the captain of

the precinct. I asked him if he would give me a wardman to go with me and locate those goods. He said, "No; I can't do that. But I will send one of my sergeants, or officers, over with you to the Essex Market police court and get a search warrant." I thanked him very kindly, and he did so; and I went over there, and I took with me our forelady and I stepped up to the judge, and I asked him if he would kindly give me a search warrant, that I knew the goods were located in Delancey street, and that I would like to get them because I had every reason to believe that before we could get their possession the goods would be taken away. I wanted to go there at once. So he turned me over to one of his clerks there, who I thought possibly was the Governor of the State, with the airs he put on, and I asked him if he would make out the warrant. Well, he said, "Just wait a minute." I said "All right." I waited. Finally he hunted up two or three books, and he brought them out and looked over the law, and started to make out the warrant, and turned around and says, "Will you swear these goods are in that place?" Well, says I, "I can only swear to the best of my knowledge and belief they are there. I haven't seen them there." And our forelady turned around and she said, "Mr. Herts, those goods are positively there, because I have seen people who have seen them there since last night." I said to him: "Must I absolutely swear that the goods are there in order to get this warrant?" He said, "I think it is absolutely necessary." He says, "However, just wait a minute." The judge was standing over in the corner talking to somebody, not sitting on the bench. He went over and whispered to the judge, and the judge came there and said, "Will you swear that those goods are in that place in Delancey street?" I looked at him, says I, "I will swear." He says, "I think you would swear to anything." Says I, "You evidently don't know me." Says I, "I am a gentleman. It is more than I can say for you." And I walked out of the court. That is John O. Mott. I can only tell you, gentlemen, that I have had more trouble and more expense and annoyance in prosecuting these people than if I had let the whole thirty-five hundred dol-

lars go to the dogs. I have been looked upon as the culprit instead of the complainant. I was treated in the police headquarters like a gentleman. Captain McClusky did everything he could, and Detective Read worked like a beaver, and secured these goods, and got every dollar's worth of them, with the exception of 12 pieces. I never was treated better in my life. It was the first time I ever had any dealings with these departments in that regard, and they treated me like a gentleman. I have only to speak of them in the very highest terms.

Mr. Moss—And the inquiry before Judge Simms? You said you had difficulty in getting the defendants held there.

The Witness—That is right.

Mr. Moss—Please tell that.

The Witness—I had difficulty, inasmuch as they would not—in the first place, they wouldn't issue me a bench warrant for these men that I had located in Buffalo, without a great deal of trouble. The detective went with me to the police justice, and he told them that we had heard that these people were in Buffalo; and it took us quite a while. He says, "You go up to Buffalo and locate them, and then I will give you the warrant." The judge said that. I did send to Buffalo, and I did located them, and in Buffalo the police arrested them there and held them until they telegraphed down, and then we got the bench warrant. After I brought these men down I went over to the Tombs police court to have them held for the grand jury, and I found that I had so much trouble with the clerks there that I telephoned to Mr. Steckler, and asked him to come up and assist me, for which I paid him a fee. I have made no efforts whatever to have the case brought to trial since it has been in the hands of the district attorney. I simply waited their movements. They have made no excuse to me for the delay when I have called there. I think I have been four times or five times in court on this case. I think the last time was

Tuesday, was the fifth time I was down there. On those occasions I think the case was actually called in court. An announcement was made that the case was adjourned. I don't think that the case of these men who have skipped was called more than twice. The case that I refer to particularly is this one against this man Kaufman. I think the case against the men who skipped was called once.

By Mr. Hoffman:

Certainly I remember the names of the defendants whose cases were called who I said have fled from the State. I could not give the exact date when the case was called.

By Mr. Moss:

Q. The persons who went away were? A. Schneider, Blustein and Sussman.

Mr. Moss—Here in this indictment are Sussman and Blustein.

The Witness—Yes, sir.

Mr. Moss—And the official indorsements upon the papers show four days, May 22d, May 26th, May 29th and October 30th.

Mr. Hoffman—I have only got four.

Mr. Moss—That is four in that case.

The Witness—I do not think they were called four times. I think it refers to those other two. My subpoena read only—the subpoena which I received was, I think, last Monday afternoon, was only against Joseph Kaufman.

Q. Then it would appear that you have not been called in court upon all of these occasions which are marked on the back of the indictments? A. Not for all those witnesses; not for all those names.

By the Chairman:

Q. Were you in court on all those four days? A. I think I was. But these people I know skipped long before 1899, last year. They have not been here since last November.

Mr. Hoffman—I have here a record showing that on May 22, 1899, the case of Simon Sussman and Herman Blustein was called in the court of general session. The address of Sussman was No. 115 Norfolk street, in the Sussman case, and in the Blustein case, No. 214 Eldridge street. The name of the surety in the Sussman case was Joseph Franklin, and in the Blustein case was Meyer Eppstein. The address of the surety in the Sussman was No. 157 Attorney street, and in the Blustein case, No. 102 Hester street. The amount of the bond in each case was a thousand dollars, and the bond was forfeited upon that day and judgment entered and execution in the hands of the sheriff. Have you made any inquiry to find out whether the statements I have read to you are correct? Do you know that the statement is correct? A. I was informed that that was so, yes, sir.

By the Chairman:

Q. Do you know whether any money has been collected by the sheriff? A. I haven't the slightest idea. I have no interest in it whatever.

By Mr. Moss:

Q. Did you ever hear about any money being paid to those bondsmen? A. No, sir.

Q. (continuing) For the bond? A. No, sir, not that I know of. I probably would not have heard it if it had been.

AFTER RECESS, 2 O'CLOCK P. M.

The committee met pursuant to adjournment.

Present: Mr. Mazet (the chairman), Mr. Fallows, Mr. Hoffman and Mr. Boland.

THEODORE CONNOLY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am an assistant corporation counsel. I know of two subpoenas that have been served upon the corporation counsel and assistants, requiring the production of a list, or the record of judgments entered against the city of New York by default, consent, etc. One was served this morning upon me. Such a list is not in existence. I want to state in answer to the subpoena that the subpoena calls for, among other things, judgments on default. There are none such, as far as I know.

Q. One moment. There may not be in your department. Yet it must be, because testimony was given here the other day in the case of Sewer Commissioner Kane, action by Cunningham against the city. The testimony was given, and the record shows that the judgment had been entered against the city by default. That is one case?

The Witness—Do you mean existing to-day as a legal judgment?

Mr. Moss—I do not know whether it exists or not.

The Witness—Oh, there have been plenty of defaults in the office. To my knowledge there are no judgments to-day existing. The next one is by stipulation. There are none such. The next is by withdrawal of the answer. There are none such. The only way we can act is to act upon the offer of judgment, and of those there are many thousands of judgments on offers. Most of them in very small amounts. Generally a special class of cases, such as the prevailing rate of wages cases—a few dollars, four dollars to five dollars and so on. And excise cases, fifteen or twenty dollars. They are numerous. I have no idea how many thousands there are; it is very difficult to say. I think a rough estimate would be probably that fifteen per cent. are judgments on

offers—in number. Fifteen per cent. of all judgments, are judgments on offers. In the number of judgments, yes, sir. That is practically a judgment by consent. If we haven't got any defense of course we offer a judgment. They generally run in certain classes, as a rule. That is impossible to say without a very long search what those judgments would amount to. The only place to ascertain that is in the comptroller's office. We send there a statement of the facts on which it is based, and that is the place.

Q. Is there not any record in your office which will show clearly and quickly the number and amounts of the judgments that have been entered in that way? A. The record which will show clearly is the judgment roll in each case. Those are many thousands in number. The business is too great.

Q. There is nothing to show whether they are entered by litigation or consent, then? A. We have in our register, as a rule, an entry at the close of the case, stating whether or not it was by offer or by an ordinary process. But to get the real facts, you have to go back still to the papers in each case.

Mr. Moss—I understand you to say, then, that from the condition of the records it is not practicable to comply with that part of the subpoena?

The Witness—I don't think it is, in the time you have given us. We have no such record. No one record.

Mr. Moss—This request was made some time ago, originally—a good while before Mr. Whalen was on the stand.

The Witness—The request was made in August, as I understand it, and that, as you know, was vacation time. Mr. Whalen informed me—I speak subject to correction—that he had suggested to you then that the simplest plan was to subpoena the comptroller's office, with those various judgments in the cases. We did not understand that we were to start that directly.

Mr. Moss—The comptroller says, as you say, that nothing would give that information except a search which would cost, if made in the regular way, a great deal of money.

The Witness—I think he is mistaken. In each case we sent over to him a statement of the facts upon which that judgment was based. That must show in every case whether it was on offer or not.

Mr. Moss—Of course you see that if we desired to look through such a list and ascertain the character of the case, and the names of the persons that are connected with judgments of that kind, and the names of the attorneys, unless you can furnish such a list it means a long and tedious search to get it.

The Witness—I understand that; but our department is a very large department. There are 7,000 suits pending, and it is of course very difficult to say in a moment——

Mr. Moss—Then you have no idea of the amount involved in these judgments on offers?

The Witness—No. I will state, though, that the average amount is very small. There are some large amounts. I have signed myself, as acting corporation counsel, some large amounts. I cannot specify those. I would not like to state off hand, but I have repeatedly, as acting corporation counsel, certified judgments in large amounts, after ascertaining the facts, especially on contracts where there is no defense. That is, where a contractor, not having received his pay, sues the city. Then I when I come to the conclusion that the city could not sustain an action, make an offer of judgment, which is accepted by the other side, and then the judgment is entered pro forma.

Q. Does any financial officer of the city government participate in the act of determining whether judgment should be allowed? A. Sometimes yes and sometimes no. The general process is to write to the comptroller, where we have doubt about

the validity of the defense, requesting them—stating our views, and saying that unless within five or ten days, generally five days, he gives us the information we need, we will be obliged to offer judgment. That is the ordinary course. But the power to do it rests with us, without reference to the comptroller, as we claim. There has been a question about that, by the comptroller. A contested question. It is pending now. Bush against Coler.

Q. Yes; it is a question of your right to allow judgment without his consent? A. I don't know what he claims, now. He has changed his claim apparently. He thinks it ought to go to the municipal assembly; that is his last claim. The original claim was that we had no right to offer judgment without the sanction of the finance department. Our claim has been on the contrary, and that was decided in our favor on three occasions.

Q. You are, of course, from your actions, decidedly of the opinion that the sole power rests in your office? A. I believe so, after investigating the question; and I base my opinion partly on the opinion of Mr. Evarts and Mr. Curtiss a great many years ago. The courts have sustained us now twice on that matter.

By Mr. Hoffman:

Q. Has the court of appeals at any time determined the question whether the right or authority of the corporation counsel—— A. (Interrupting.) Not directly, no. Indirectly it has, but I would call that a square adjudication of the question. We have the appellate division which has practically decided that in two special term decisions; but the last case, in the case of O'Brien, does not determine that question.

By Mr. Moss:

The judgment in the case of O'Brien was for $700,000. Entered upon the consent of the former corporation counsel, Mr. Scott. And of the various other authorities, the comptroller and mayor and board of estimate. They concurred; yes, sir; they all participated. That is why that is not a test case.

By Mr. Hoffman:

Q. When was that judgment by confession in the O'Brien case made? A. It was an offer, not by confession. December, 1897. That was prior to the incoming administration. By Mr. Francis M. Scott, corporation cousel, with the sanction of three special counsel in the case.

By Mr. Moss:

Austin G. Fox was one. I think Mr. Root.

By Mr. Hoffman:

Elihu Root. There were three gentlemen. I may state we made a motion to open all that, and set it aside. We tried to do it, and have failed, so far. The amount was I think over three million of dollars. The seven hundred thousand dollars was a compromise. I will state that we have done our best to vacate it and have not succeeded. That case has been to the court of appeals. It has been affirmed by the court of appeals. I am told that the affirmance by the court of appeals was practically on the ground that there was a consideration for the settlement, which we denied.

By Mr. Moss:

Q. If a case involved as large an amount, or if it involved a large amount, $50,000 or $100,000, would you think it practically necessary to have the consent of the comptroller? A. Not necessary, but very advisable. He might have facts that we would not know anything at all about, that would make it wise to defend the action.

Q. You would send him a notice proposing that, if he had no objection, within five days you would proceed? A. No. In a case as large as that we would state the case fully and ask him for any information, if he had any. We would never give a judgment in $50,000 so hastily. That is too large an amount. Even five thousand dollars.

By Mr. Hoffman:

Q. Has there not been more than the usual amount of litigation since the 1st of January, 1898, on account of consolidation? A. Oh, yes, two or three times. It has arisen, I might say five or six times. It is something unexpected. An avalanche of litigation on questions of all sorts, and questions of difficulty, due chiefly to consolidation; to acts committed in the other boroughs before consolidation. Contracts on which they claim we are liable. Claims of Brooklyn, Arverne and Long Island City. That runs these alleged confessions up into thousands. A Brooklyn policeman, getting four dollars, gets an offer of judgment. We cannot help ourselves. In a great many cases there are many as low as two dollars. A number of five dollars and a number of them ten dollars.

Q. In suits brought against the city of New York where the amount involved is more than fifty dollars, and the action proceeds to trial, what would be the costs of such an action, assuming there was an action? A. Of course we get costs—six or seven times the amount of recovery. They get full costs against us, you know.

Q. So that in a case involving fifty dollars in an action against the city, unless an offer of compromise was made it would be more than twice the amount of the claim itself? A. In an action of four dollars they get full costs in every case against the city.

Q. What do the full costs amount to, under the laws that exist to-day? A. It might run from fifty dollars to two or three hundred dollars, according to the length of time the case is on the calendar.

Q. So that in these cases, where there is no defense, it is not alone advisable, but very necessary, to protect the interests of the city, that the corporation counsel shall offer judgment? A. If I may state my personal view, from being there nine years in the office, I think we have sinned on the side of being too conservative, rather than overstepped the point. I think the city has lost. Some litigation was threatened by some Brooklyn school teach-

ers. The amount was very small, and we found that if each one sued on the small amount we would get ninety thousand dollars of costs against us—many times the amounts of the claims. The amount in the case of the school teachers was I think about twenty thousand dollars, or something of that sort. The costs in those cases would run up to ninety thousand dollars. So that instead of making the claim twenty thousand dollars, it would make it one hundred and ten thousand dollars. We are liable to full costs in every case.

By Mr. Moss:

Q. How do you figure fifty dollars costs in a four dollar case? A. That is only a case—as to the costs, I think five times on the calendar, and delays and appeals.

Q. You are figuring on appeals? A. Yes, sir. I am correct in that, too, I think.

Q. Suppose the trial should be final? A. If you get me down to dollars and cents, no one can say. You can't yourself, with your experience.

Mr. Moss—I should say three hundred dollars was a very wide figure.

The Witness—I give that as a maximum.

Mr. Moss—A maximum, including appeals?

The Witness—Oh, yes; altogether.

By Mr. Hoffman:

Q. The amount of costs in a trial alone would be at least a hundred and fifty dollars? A. Take an ordinary case remaining on the calendar—it would be the full amount, with an allowance besides.

Q. After notice of trial it would be a hundred dollars alone? A. Yes, sir.

Q. Then there are jury fees and allowances, and disbursements and other matters to be considered? A. Yes, sir. You gentlemen

know as lawyers it is impossible to predict as to the amount of costs; but they are always more than you think they are going to be.

GEORGE A. BAKER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am a lawyer. My place is No. 120 Broadway. I was interested in an indictment against a man named George A. Bushe, both as complainant and as a witness in another indictment. George B. A. Busche. Well, I don't know who he was. I can't answer your question. The charge against him, in which I was the complaining witness, was perjury. The charge against him, in which I was the chief witness, was grand larceny. The indictment in which I was the complaining witness was found I think it was in 1895. I would not like to say. I think it was 1895. And the indictment in the case where I was a witness, well, the same year. Mr Bushe was a man against whom there were many complaints for fraud and swindling. He was a famous swindler. I think I did appear before the grand jury in both cases. I would like to put on record that the grand larceny charge was the case of Lange. That was the complainant. And I was the complainant in the perjury case. Those indictments are still pending. I have not heard that they have been disposed of. The amount in the Lange case was a thousand dollars. And in the Baker case, that was purely a criminal charge. There was no amount. A specification of perjury, but not turning upon any particular amount. These cases have come up on the calendar several times. I have not been subpoenaed. I imagine I am a necessary witness to convict the defendant. I have simply seen that they were on the calendar, by seeing the Law Journal. Being a lawyer and having the Law Journal I look at the calendar, and I was the complainant in that case, and I think I ought to be notified as the complainant. By examining the Law Journal I discovered the case was coming up, and then I would go up to

court. I have never been subpoenaed. I think I have found out that the case was on the calendar three times. I think I have attended court three times.

Q. When were those attendances? A. Well, now, as to that, I can't tell you, except I think that the last notice—let me use my own language. I think on the 8th of June Mr. Winters and I got to the office about 12 o'clock. Mr. Winters and I were then associated together. Byrum L. Winters. There were subpoenas left for us there the day before, No. 56 Pine street. Not served on me, but left there with the janitor. I sent a clerk up to the office—up to the general sessions; and they said this Bushe case was up. Neither of us—Mr. Winters was away up in the country somewhere. They simply left the subpoenas there. Then twice before that the case was on the calendar, and I had received no notice, and I saw it in the Law Journal and went up, and one of the district-attorneys, or assistant district-attorneys, Mr. Townsend—I asked him how the case came up, when the district- attorney had served no subpoenas on the witness for the people. Mr. Townsend said he did not know anything about it. He said he never had heard of the case. He did not know how it came on the calendar. And he was the gentleman in charge of the calendar. He did not know how it got on the calendar. He never had heard of it before. It may be that that was under District-Attorney Fellows; and I had written to District-Attorney Fellows. And again, when Mr. Olcott had been appointed, I wrote to him and asked him to assign his best assistant to try the case. He assigned Mr. Lauterbach. I saw Mr. Lauterbach several times and thought the case was going to be tried, and then Mr. Lauterbach got out of the office; and then, I think, Mr. Olcott assigned it to Lloyd. I saw Mr. Lloyd several times. Just then Mr. Lloyd got out. And I gave to Mr. Lauterbach the copy of the stenographer's minutes, on which the perjury indictment was based. Then I wrote to Mr. Gardiner, and I have got a copy of the letter here, with some emendations that I do not think you will care for. I have copies of those letters that I wrote. This is a letter dated September 3, 1898, addressed to Honorable Asa Bird Gardiner, Criminal Court Building, New York.

"Dear Sir.—Among the many indictments in your office against George B. A. Bushe, there is one for perjury in which I am the complainant. The indictment was found nearly two years ago, and I am anxious to have the case tried. * * * I think that the ablest assistant that you have should be assigned to the case. * * * I should be glad to confer with him (the assistant) at any time, and can give him (the assistant) a good deal of assistance in the preparation of the case. Very truly yours,

"GEORGE A. BAKER."

I have not the other letters with me. As a consequence of the writing of that letter some assistant, I do not recollect his name, wrote me he would be glad to confer with me. I went up to see him, and he wanted to find out the minutes on which this indictment was based. I told him they were there in the district-attorney's office. He said he had not got them. And I should say a week or ten days later I went up to see him and he said they could not find them. The minutes were gone. That is the basis for the prosecution for perjury. I can't say who it was that told me that the minutes could not be found. I don't recollect the name of the assistant district-attorney with whom I conferred.

Mr. Moss—I am informed at this moment that the minutes are now with the indictment. They have not yet reached the committee room.

The Witness—They were not with the assistant to whom Mr. Gardiner assigned the case, when I called there, according to what the assistant said to me.

Mr. Moss—It looked to you then as though the bottom had dropped out of the case, I suppose.

The Witness—No, not that, because the originals were on file in the county clerk's office. I simply got a copy for the benefit of the district attorney's office. I have not been able to get any closer to the trial than I have told. I stand ready to do my part. I am simply anxious that the case be tried and disposed of.

By Mr. Hoffman:

I am an attorney at law. I was complainant in one case of the people against Bushe. And an indictment was found. The charge upon which I made a complaint and for which an indictment was found was for perjury. And the other indictment was made by another person for grand larceny. And there were several other indictments, but only one in which I was a witness. These several indictments were found by the grand jury, I think in 1895. I am not sure. They were late in the year. The district attorney in the latter part of 1895, was Colonel Fellows, I think.

Q. When for the first time in 1895, did these several cases against this man Bushe appear upon the calendar in any one of the parts of the court of general sessions? A. I don't think that they appeared in 1895.

Q. Did you apply to Colonel Fellows, during his lifetime, in 1895, to have the cases tried? A. As to that I can't say without looking at my letter book.

Q. Do you recall whether or not you made any effort after the indictment in the latter part of 1895, for the trial of these cases? A. All I can is this: That I was very anxious that the cases should be tried at once, and it may be that I did; but I cannot say without looking at my letter book. I do not know whether or not I communicated in any way that anxiety to the district attorney of the county at that time. I can find out within half an hour. I do not know now whether I wrote any letters to Colonel Fellows in 1895. I said I did not know. I can find out in half an hour.

Q. What was the basis of the charge upon which the indictment was found in the perjury case? Where was this perjury committed? A. Right here in New York city. In court.

Q. In what court?

The Witness—Will you let me tell the history?

Mr. Hoffman—Certainly. I simply want to arrive at the facts, and I want you to help me as far as you are able to.

The Witness—I was the attorney for the employees of the New Manhattan athletic club. There was a receiver, Senator Gaynor, appointed. I was the attorney for the employees and I wanted the property sold so that the employees could get their money. I made several motions. Mr. Bushe was the assignee of the first six judgments, amounting to about six thousand dollars, and he was present in court at those motions, and finally he came to my office and told me this—presented the assignments of the first six judgments and he said he wanted me to represent him. I told him I would do it for a thousand dollars, and he demurred to that. We finally agreed upon the terms of $750. He wanted me to get a loan of $1,000. I did. He said he would pay me $750. And when it came down to the time when the loan was to be passed, he said he was short; a certain note had gone to protest; and wanted to know if I would accept $500 for a day or two. I told him I would. Then the whole thing wound up, and he went before the court —went before Major Hobbs, the referee, and swore that he had never employed me, that I had never represented him and that he had never paid me a cent. I do not know what judge ordered the reference in this case before Mr. Hobbs. I think it was Judge Andrews. There was a stenographer who took the testimony in that reference. I do not know whether that stenographer is alive to-day. I have not seen him. It was his minutes that I filed with the district attorney. There was a report made by the refere to the court. That is on file in the county clerk's office with the original minutes.

Q. I ask you whether the fact that these minutes have been mislaid or lost or stolen, since you have applied to the district attorney in 1895, could have affected the prosecution of this man Bushe? A. I do not suppose so, because the original was on file in the county clerk's office. Whether these minutes had been lost or mislaid, it made no difference as far as the prosecution is concerned on the charge of perjury; except in so far as the preparation of the case for trial is concerned.

Q. You stated that this indictment was found in 1895. A. 1895 or 1896. I do not want to go on record.

Mr. Hoffman—Have you the indictment here?

Mr. Moss—Yes.

Mr. Hoffman—What is the date of the indictment? Will you read it on the record?

Mr. Moss—July 30, 1896.

The Witness—I did not know.

Mr. Moss—No, January 30, 1896.

The Witness—What?

Mr. Moss—There are two of them. January 30, 1896, and July 30, 1896. John R. Fellows, district attorney.

The Witness—Will you let me see them?

By Mr. Hoffman:

Q. What did you do in 1896 with reference to obtaining the trial of any one of those indictments, so far as the district attorney's office was concerned?

The Witness—Will you pardon me a minute while I look at these papers?

Mr. Hoffman—Certainly.

The Witness—The indictment in which I am the complaining witness——

Mr. Hoffman—When was that found?

The Witness—As I see here, it is the 30th day of July, 1896. That was the perjury case.

Q. What did you do after the 30th of July, 1896, with reference to having the case tried, in which you were the complainant? Did you call upon District Attorney Fellows? A. I wrote him. I have not a copy of that letter with me. There is a copy of

that letter in existence. I never have written a letter that I have not got a copy of. I did nothing else in 1896 besides writing a letter to Colonel Fellows.

Q. What did you do during the year 1897, when Mr. Olcott was the district attorney? A. Wrote him. I think I told you that.

Q. Did you do anything else? A. I think I told you. I wrote Mr. Olcott that I wanted him to assign his best assistant, and the day or the day after I wrote him I got a letter from Mr. Lauterbach saying that this case had been assigned to him. I went to see Mr. Lauterbach. He asked me to call to see him. I went to see him, and I saw him several times, and the case was almost ready to be tried, when Mr. Lauterbach got out of the office. After this call upon Mr. Lauterbach I made a personal call upon District Attorney Olcott. I told him about the case. I told him the charge. Told him the importance of it. And he said that he had already assigned it to Mr. Lauterbach, and that he could not do anything more. That any advice that Mr. Lauterbach wanted, he would give. I did not, after this conversation, call at any time subsequent to that upon District Attorney Olcott again. I can't tell you whether the case appeared upon the calendar for trial during the year 1897.

Q. Did you make an effort to find out whether the case was upon the calendar during District Attorney Olcott's administration in 1897? A. That is the only time I called upon Mr. Olcott. I have not a copy of the letter which I wrote to Mr. Olcott. I have never received a word from Colonel Gardiner in relation to this indictment.

Q. When was the case upon the calendar after 1897? A. It was on about two weeks ago, for once, as I understand. I have seen the Law Journal. I saw it about a week after. I understand it is this case.

Mr. Moss—The dates on the paper say June 5, 1899, and October 16, 1899.

Mr. Hoffman—What are the dates preceding 1897?

Mr. Moss—I do not see anything. There was no custom for using the stamp at that time, I am informed.

The Chairman—When was this stamp first used?

Mr. Hoffman—About two years after the indictment was found it appears to have been on the calendar.

Mr. Moss—June, 1899.

The Witness—I have been there three times to get it on, and I have not been subpoenaed. I have not called upon Colonel Gardiner in reference to the trial of this indictment. I have called upon an assistant district attorney in reference to the trial of this indictment of perjury, twice, before the summer vacations. I think once last fall, and once about, I should say, February.

Q. Did you obey the subpoena that was left at your office to appear in court? A. I did not get there until 12 o'clock, and I sent right there. I sent a clerk right up to find out what had been done with the case. I did not go myself. I was not there until 12 o'clock. It was not a legal service. No, it was not a legal service, because it was left there and I got there about 12 o'clock that morning.

By Mr. Moss:

Q. That was after the time fixed for the case? A. Certainly. That was in the Lange case.

By Mr. Hoffman:

Q. Did you make any point about the service of the subpoena not being personal? A. It had not been served upon me.

Mr. Moss—He does not say that.

Mr. Hoffman—Will you state that?

The Witness—I said I sent an office boy up to find out what had been done with the case. I didn't know what it was, whether it was the Lange case or the case in which I was interested.

By the Chairman:

The subpoena did not state what it was. I sent a clerk up there and they said it had been put off.

By Mr. Hoffman:

Q. So that in all, as I understand your testimony, this case was upon the calendar three times altogether since the indictment has been found? A. I think so.

Q. And the indictment was found, one in January, 1896, and one in July, 1896?

The Witness—What case do you refer to?

Mr. Hoffman—I am talking about the Bushe case. What case are you talking about?

The Witness—Jerusalem! There are six or eight indictments.

Q. Found on these respective dates? A. No. What indictment do you refer to?

Q. Were all these indictments that you speak of, six or eight, found about the date of these two indictments? A. I don't know.

Q. Did you appear before the grand jury after July, 1896? A. I simply appeared before the grand jury in two indictments.

Q. Only in two? A. In two.

Q. That was in the perjury case? A. And in the Lange case.

Q. Which was for larceny? A. Yes, sir.

Q. And I understand you to say these two cases were upon the calendar for trial three times; after the indictments were found? A. As I understand it, yes, sir.

Q. Once during the administration of Colonel Fellows? A. Yes, sir.

Q. And the other two times? A. Mr. Townsend was then—— They appeared in his part.

Q. That was during the administration of Colonel Fellows as district attorney? A. I think so.

Q. And the other two times during the administration of the present district attorney, Colonel Gardiner? Is that correct? A. I would not like to pin myself down to that.

Q. Do you know of any reason why this case was not disposed of during District Attorney Olcott's administration? A. No, sir, I do not. Well, Mr. Lauterbach had charge of it then. I conferred with him several times, and we were almost ready to try the case, and then he resigned.

Q. Were there other assistants in the district attorney's office at the time Mr. Lauterbach resigned? A. Certainly.

Q. Did you confer with any of the other assistants? A. No.

Q. Did you confer, after Mr. Lauterbach's resignation from the district attorney's office, with Mr. Olcott with reference to the trial of this indictment? A. Mr. Olcott, as I recollect, wrote me that he had assigned the case then to Mr. Lloyd.

Q. After that he wrote you to that effect? A. Yes, sir.

Q. Did you talk to Mr. Lloyd about that indictment? A. Yes, sir, I did.

Q. Was the case upon the calendar? A. I don't know.

Mr. Hoffman—That is all.

Mr. Moss—While we are examining these two indictments in which this witness is interested, I will call the attention of the committee to two other indictments against the same man, for larceny, swindling, etc., filed the 23d of May, 1898, and the 10th of January, 1898, against George B. A. Bushe, and, from the stamp mark, appearing on the calendar on the same days that the cases did in which the witness is interested. These are not disposed of either, on the face of the papers.

The Witness—May I make a short statement. I got this subpoena last night in my home. I did not know what was wanted. I saw Mr. Laimbeer here this morning. He told me they wanted to examine me about this case. I have not had time to look up my register.

The Chairman—You have testified to the best of your recollection?

The Witness—Yes, sir. If there is anything that I have not said, if you want to call me again, all right.

GEORGE H. FAHRBACH, called, and being duly sworn by Mr. Hoffman, testified as follows:

Examined by Mr. Moss:

I am a deputy county clerk. I was subpoenaed to produce the record of judgments against the city of New York. I have not got them here now, because they are in constant use in the office, for docketing judgments and issuing transcripts. I was asked to produce the docket of judgments from the 1st of January, 1898. They are contained in two volumes. I say they are in constant use. I have asked to be excused from producing them. I will produce a statement from the docket for you if you put in a search for them; we will certify to anything that is in the office.

Mr. Moss—We will ask you, in lieu of the production of the record, which we will not insist on, under the circumstances, to give us a transcript from the books.

The Witness—I don't know that I have any power to do that, and put the seal of the office to them.

Mr. Moss—I do not care about the seal of the office.

The Witness—Well it won't be official.

Mr. Moss—I don't care about that. We want either the record or the transcript or copy of the record, whichever you choose to give.

The Witness—I don't know whether I have power to make that search.

Mr. Moss—You had better find that out.

The Witness—I will find it out. All right.

Mr. Moss—The county clerk of Kings county?

Mr. Richard Croker—Gentlemen of the committee, I ask permission to be allowed to take the stand.

Mr. Hoffman—The committee has no objection.

Mr. Croker (taking the chair)—Very well. Gentlemen, I want to contradict——

Mr. Moss—There is no quorum of this committee present. There is nobody here qualified to speak for this committee now.

Mr. Fallows—Mr. Mazet is in the building and is chairman of the committee. Perhaps we had better wait until he comes in. We will send for him.

Mr. Croker—All right.

Mr. Moss—I have just called a witness. Take the chair, please.

Mr. Croker—Very well.

Mr. Hoffman—Do I understand that you raise the question at this late day, to the effect that there is no quorum present?

Mr. Moss—I am raising no question.

Mr. Hoffman—You raised it before.

Mr. Moss—I am not going to get into any discussion with Mr. Hoffman.

Mr. Hoffman—The minority, so far as the conduct of this investigation is concerned, so as to make it fair and full and complete, and so that no time will be wasted, will raise no objection so far as this witness's examination is concerned, as to the fact that there is no quorum present.

Mr. Moss—I am not going to raise any question until we get a quorum.

Mr. Hoffman—You have changed the tactics. The chairman was here alone when this investigation proceeded, although the question of no quorum was not raised. Consistency does not seem to be the jewel in this particular instance. (Mr. Mazet, who had been out of the room a few moments, here appeared.)

Mr. Moss—Will you kindly swear the witness.

JOSEPH ABELL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am from the county clerk's office of Kings county. I have produced the records from my county of the judgments against the city of New York since the 1st of January, 1898. I have produced the docket—corporations. This refers to other corporations besides the city of New York—all corporations. I am anxious to get these books back to the county of Kings. Yes, sir; very much; they must go back as soon as possible. I do not know how many judgments there are here, or their amount.

Mr. Moss—I think, under the circumstances, that we will make an arrangement with you to get a transcript of this record in such a way as will not incommode the office there. It will be hardly possible for us to go through them this afternoon. I am obliged to you for bringing the records with you.

The Witness—All right.

WILLIAM HONTZ, being duly sworn, testified as follows:

Mr. Moss—Before examining Mr. Hontz, I ask the attention of the committee to the case of the People against Felix Muehlenthal's indictment for grand larceny in the second degree, filed

June 2, 1897. Upon the back of the indictment is this endorsement, per Robert Townsend, Assistant District Attorney.

"From an examination made of this case I am disposed to believe the story of the defendant that the check was lost. The enclosed affidavit of Mr. A. Levy, a reputable member of the bar, shows his reputation for honesty and integrity to have been the best. The defendant should be discharged upon his own recognizance.

"ROBERT TOWNSEND,
"Assistant District Attorney."

The further endorsement, "August 3, 1898." [Notice that that which I have read is dated August 3, 1898.] "I think upon the facts the defendant is entitled to have the indictment dismissed and so recommend.

"S. S. BLAKE,
"Assistant District Attorney."

"September 16, 1898."

The affidavit of Mr. A. Levy, which is stated to be the principal foundation for the dismissal of this affidavit I now read, taking it from the papers:

"Abraham Levy, being sworn, says he is counsel for the defendant; that deponent has personally known defendant for a long time, and regards him as an honest man, and never has had a doubt as to his veracity and integrity.

"ABRAHAM LEVY."

"Sworn to the 3d of August, 1898.

"GEORGE K. SIMPSON,
"Notary Public."

There is also attached to the papers a letter of Messrs. Weekes & Battle, dated September 9, 1898, addressed to the chief clerk of the district attorney.

"In the case of the People against Felix Muehlenthal, we beg to ask that notice be given us before the indictment is finally

disposed of, as there are new developments in the case which we desire to call to your attention.

"Thanking you for your courtesy in this, as in many other matters, we beg to remain,

"Very truly yours,

"WEEKES, BATTLE & MARSHALL."

Will you mark that for identification?

(The letter is marked "For identification Exhibit No. 6, November 2, 1899.")

Examined by Mr. Moss:

I was the complainant against William Jones and Charles England. They were charged with robbery in the first degree.

Mr. Moss—I ask to have marked the indictment of the People against Charles England and William Jones filed the 16th day of April, 1895, for robbery in the first degree.

(The paper is marked "Exhibit No. 7, November 2, 1899.")

The Witness—I will state the circumstances of that robbery. On the 4th of April, that year, I was down at Gansevoort market on the west side. I bought some beef there. I am a butcher by trade, and I bought some beef there, and from there I went somehow down as far at Eighth street and Sixth avenue, and then I met a friend. I used to work for him some years ago and we had a couple of glasses of beer; and from there I walked across Washington park, or whatever they call it, across through until I came to the Bowery. Before I came there I must have met somebody, and I had one whiskey or two, because when I came there I wanted a glass of seltzer, when I came to that place. I had some business to do, anyhow. I was intending to buy something out in the Bowery, and I went in. I wanted a glass of seltzer. I asked for it and they gave me a glass of seltzer, and I called for a cigar. There was a couple of young fellows what lay around there all the while, and they asked me

if I will treat them. I refused. I said, "I don't know you fellows." I handed the bartender two dollars, and he took the change —and those two fellows, Johnson and Jones and the other man took a drink, and the bartender, instead of giving me change out of two dollars, even if I would pay for the drinks for those two fellows—he gave me the change for one dollar. Of course I told him. I said, "Now, you didn't give me the right change." He says, "Why?" I says, "Now, I gave you two dollars. Even that," I says, "That would be only one dollar, if you took the change out for those two men. I didn't treat them." And the one fellow jumped right from one side, and they gave me a punch in the eye, and the other kicked me behind, and I fell down on the floor, and before I got up from the floor, I found myself on the sidewalk. One half of the vest was in the liquor store, and half of it on my shoulder.

Mr. Moss—The side of the vest that had the money was in the liquor store, I suppose.

The Witness—They took the money. The little fellow that was a Jew saw all this racket. Of course I had a black eye, and couldn't see nothing hardly. They gave me a pretty good punch. I can stand one man, but I couldn't go three. The bartender jumped over the bar—England was the bartender. Jones hit me first. But the other was let escape. They didn't get him. When the little Jew fellow saw all this racket, of course I called him in, and I had some of that change in my pants pocket, what he gave me out of that, and I gave the boy ten cents or five cents, and I says, "You be kind enough to get a policeman," and he went out and got a cop there. I went down before the grand jury and the robbers were indicted.

Mr. Moss—Here is the indictment, filed the 16th of April, 1895.

The Witness—When that thing happened I lived in Gates avenue, Brooklyn. Now I live in Brooklyn on Twenty-third

street. In Third avenue I keep market now. I did not have a market all this time. After that time I got so discouraged I went to work and I sold the market and I went out in the country, and I was in Connecticut for two years—and about a year after they found me somehow. I got a subpoena even in Hartford, Conn., that I shall appear in court. I came to the court on Friday morning, and the district attorney adjourned the case to Monday. Monday when I came there he said something like "discharged," or something, and off she went. A year after I was engaged—I was out of business. I not doing nothing. I came across a fellow in Brooklyn, and he says, "Say, here is a letter for you." I came there and looked at the letter. It was just about that case. About two and a half years after. I saw it was a lawyer in 62 Wall street. I came there, and I says, "What is the matter? I give it up." Well, he says, "That lawyer that had that case was my partner, and he sold his share to me. I want to find out," and he took all this information, and that was all until this day. The district attorney knew where I was. Sure.

Mr. Moss—The endorsement on the back of these papers is:

"I have made efforts to find the complainant, but his whereabouts are unknown, as more fully appears by reference to the correspondence filed herewith. I therefore recommend the discharge of the defendant England on his own recognizance.

"FORBES HENNESSY,

"Deputy Assistant."

"June 7, 1898."

"Part II. June 7, 1898. On motion of the district attorney, the defendant, Charles England, discharged on his own recognizance."

It appears that on the 22d of July, 1895, No. 2, William Jones, was tried and convicted of assault in the third degree.

By Mr. Hoffman:

Q. Did you appear in court after July, 1895, at any time? A. I come from Connecticut a year after, in 1896.

Q. Did you appear in court after you came from Connecticut in 1896? A. I don't remember.

Q. Do you remember whether you appeared in court in 1897? A. I don't remember. No, I don't remember. I only had notice from the lawyer; that was all; that was the end of it.

Q. Did you get any subpoena to appear in court during the year 1897? A. I don't remember.

By the Chairman:

Q. Where did you live in 1897? A. In Connecticut.

By Mr. Hoffman:

Q. If you had got a notice to appear—— A. (Interrupting) If I had, I would.

Q. (Continued) You would have appeared in court? A. Yes, sir.

Q. You do not remember having got any notice, and therefore you did not appear in court? A. No, sir, I didn't get any.

Mr. Hoffman—I would suggest in reference to these six cases which have just come up, and in which indictments have been found since 1895, that Mr. Olcott, who was the district attorney during a part of the time from 1895, be subpoenaed to come here this afternoon, and give evidence why these indictments were not disposed of. If this committee wants to be fair, Mr. Olcott will be subpoenaed. It appears these cases were never on the calendar during his entire administration.

Mr. Moss—That is all the more reason why they should have been on the calendar since the first of January, 1898.

Mr. Hoffman—That is probably the best reason in the world why they could not be on the calendar. Do I understand that the committee overrule that request?

The Chairman—The committee will consider it and take it up in executive session.

Mr. Hoffman—When? In January?

The Chairman—I see no objection to having Mr. Olcott make any statement in regard to these indictments.

Mr. Moss—Of course not, but it would entirely disarrange my plans to send for Mr. Olcott this afternoon.

The Chairman—I understand that.

Mr. Moss—We are going to sit a good many times before this committee adjourns.

Mr. Hoffman—That is a dream about sitting after we adjourn to-day, a good many times. I think that is merely a dream.

Mr. Moss—Who thinks that?

Mr. Hoffman—The minority. They make that statement here publicly, that they think that is a dream.

Mr. Moss—What is going on the record here? That statement?

The Chairman—I have no objection to that going on the record. The majority is perfectly willing to let its good faith be tested by the community.

Mr. Hoffman—Yes, and the community will test its good faith. They have had sufficient already to pass upon it. They have passed upon it.

The Chairman—This committee will continue its work until it is finished, if it has time to finish it. If it has not, perhaps it will ask for time. The remark of Mr. Hoffman is entirely irrelevant. It may go on the record for what it is worth.

Mr. Moss—I offer in evidence the indictment of the People against Max Frank for grand larceny in the second degree, ob-

taining property by trick and device, filed the 28th day of June, 1899.

(The indictment is marked "For identification, Exhibit No. 7, November 2, 1899.")

Mr. Moss—I ask also to have marked for identification the complaint in the city magistrate's court, third district, dated June 25, 1899. In the same case.

(The complaint is marked "For identification, Exhibit No. 8, November 2, 1899.")

Miss REBECCA ZINDLER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I attended court in this case twelve times.

Mr. Moss—I will give the dates from the papers here. June 30, July 5, July 11, July 21, July 28, August 10, August 14, August 22, August 23, September 5, October 5.

The Witness—Each time I stayed in court—well, nearly the whole day—until three o'clock. That was the length of time I had to stay.

Q. Was this case actually called while your were there? A. Yes, sir. It was called; but they didn't ask none of our witnesses nothing. They didn't even call them. They did not put my witnesses on the stand.

Mr. Moss—Now, I will read the indorsements, or one of the indorsements upon the papers:

"August 15, 1899. Tried and jury disagreed."

Again: "October 5, 1899. Tried and acquitted on the ground of variance between the indictment and the proof."

Now, Mr. Chairman, I will show you where the variance is. The information plainly stated that there had been stolen property of the value of $400, the property of Sarah T. Zindler. That is your name? A. No, sir. This is my mother.

Mr. Moss (continuing)—Property of Sarah T. Zindler in the possession of Mr. Lieberman.

The Witness—He was the contractor, yes, sir.

Mr. Moss—He was the bailee. The indictment states that the property was stolen which belonged to one Isaac Lieberman.

By the Chairman:

Q. What kind of property was this? A. Ladies' shirt waists.

Mr. Moss—Your honor will notice that the complaint is dismissed, or acquittal is ordered, upon the ground of variance in the proof from the indictment. The information in the police court showed that the owner was Sarah T. Zindler. The indictment upon which the man was tried showed that the owner was Isaac Lieberman. The proofs coming out before the court, of course it was necessary to discharge the defendant, because upon the trial it had to appear as it was indicated in the information that the indictment did not show the name of the true owner. The name of the true owner was in the information upon which that indictment was drawn.

The Chairman—Who was Lieberman.

The Witness—He was a contractor, taking out work from us. Can I tell you a few words more? The lawyer went over to us. We were in court, and he said, "Mrs. Zindler, if I get twenty-five dollars in that case you get a hundred and seventy dollars." Mrs. Zindler wouldn't give him that. He said to the boy, he got the money from New York. There was a detective—they didn't ask him—who arrested him in Albany, the boy, and he admitted to the detective that he got the money from the waists, and I have

here letters from the customers who bought the waists and paid him about a hundred and seventy-nine dollars for it, but he had nine dollars expenses, and there was a few days there, and he had a hundred and seventy dollars left.

By Mr. Hoffman:

All the witnesses were not placed on the stand on the first trial. I was not upon the witness stand. I don't think the detective was upon the witness stand.

By the Chairman:

I was there when the case came up, but I cannot recollect. I don't think so.

By Mr. Moss:

The jury was out the first time a few minutes only. And by the second trial the jury didn't go out at all. Only the judge. The first time the jury was not out five minutes—only a few minutes. They just went out and came right in. About three minutes. I think about three minutes. I am sure about that.

HENRY C. KELLY being duly sworn, testified as follows:

Mr. Hoffman—Mr. Chairman, Mr. Croker, in the absence of the chairman of this committee, came forward a few minutes ago, and said that he desired to give some testimony in relation to a matter which he believes was material to this investigation. Mr. Croker is here, and is here for the purpose, as I understand it, of taking the witness stand and giving that evidence; and I suggest that this witness be withdrawn for the present so that he may be permitted to give such evidence as he desires to give upon matters which he believes he should give evidence upon. Mr. Croker, will you step forward, please?

Mr. Moss—No, wait a moment. There are witnesses that have been waiting here to be called since half past ten. Mr. Croker

is simply a private citizen. He is not even an official. I see no reason why I should interrupt my case here, without any intimation, or suggestion, or request before hand, to allow one man, because he happens to be more prominent than some of the witnesses that have been waiting here, to come in ahead of them. He should take his place at the end of the line, as he would have to do at a bank.

Mr. Hoffman—I desire to say that if Mr. Croker offers to give evidence which he believes this committee should hear, it is perfectly proper, and it is certainly laudable when he comes here and voluntarily offers to give that evidence. There are witnesses who are very prominent throughout the state whom the minority have requested to be subpoenaed here, and the majority have differed with the minority. They have not been subpoenaed—very high officials in the state; and I say it is perfectly laudable and proper, if Mr. Croker comes here and asks it, that he be permitted to take the stand. He does not run away from this committee. He should be afforded that privilege.

Mr. Moss—I say so, too.

Mr. Croker—Mr. Chairman, the last time I was here Mr. Moss invited me and told me to come here whenever I wanted to.

Mr. Moss—One moment. I say it is perfectly proper that Mr. Croker should take the stand at the proper time; and if it is necessary for the committee to sit to-morrow to hear him, he should have the opportunity.

The Chairman—He certainly shall have the opportunity.

Mr. Moss—But I certainly do not propose to bow my my knee to this kind of a request.

Mr. Croker—Will I be allowed to go on to-day?

Mr. Moss—To-morrow morning.

The chairman—There is no disposition on the part of this committee to deny you any right to go the stand. On the contrary, you have been asked to go on the stand, to volunteer testimony, if you wished to.

Mr. Croker—I was asked that.

The Chairman—Certainly; and that privilege will not be denied to you.

Mr. Croker—It is understood that I will come to-morrow?

The Chairman—To-morrow morning.

Mr. Croker—At what time?

Mr. Moss—Half past ten.

Mr. Hoffman—I understand the committee convenes for that express purpose?

The Chairman—Not at all for that express purpose. The committee will sit to-morrow as usual.

Mr. Hoffman—The chairman has changed his mind?

The Chairman—Not at all.

Mr. Moss—I direct the attention of the committee to the indictment of the People against Frank R. Walker and Stirling E. Smith, filed December 12, 1898. I would like to have it marked for identification.

(The indictment is marked "Exhibit No. 9, for identification, November 2, 1899.")

Examined by Mr. Moss:

The charge against these defendants, Walker and Smith, was larceny. In June, 1898, Mr. Stirling E. Smith came to my store and got the price of rope from my salesman. He gave him the

price. My salesman came back to the office and said that the Bridgeport Brass Company wanted to buy some rope and told me what he had quoted them. I said, "That is all right." He looked at the agency book and saw it was a concern of very high standing; good credit. The next morning an order came up by carman, a written order for a certain quantity of rope, which was delivered to them. Within a very few days the carman came up again and got a couple of other small lots. After they had got the third lot my clerk noticed an item in the paper where a certain Bridgeport Brass Manufactory had got into trouble.

Q. Is this the article that was noticed? A. No, sir, it was in a daily paper.

Q. But that is a trade journal. A. It must be the same article. I don't know. Oh! It was before that. It was along in June.

Mr. Moss—There is one in February?

The Witness—Yes, sir.

Mr. Moss—Here is another paper of December, 1898.

The Witness—Yes, sir.

Mr. Moss—And another of December, 1898. It was a well known swindle, was it not?

The Witness—A well known swindle. He had been swindling the trade in different parts of this section of the country. When the carman presented an order for the fourth time we saw that something was wrong. I detained the carman there and telephoned up to police headquarters, and had them send down a detective. When he came down he told us to put a few coils of the goods, of the rope, on the truck, and he followed it down to the place in Fulton street. He took them down in the cellar, and there was this Smith that came up to get the goods—he was there to take charge of them. It was not the place that the letter heading indicated at all, it was another place. And the detective immediately brought Smith back; brought the goods

back; and locked him up in the police headquarters. They found out there that Frank R. Walker was the principal in the transaction, and they arrested him within a few days. I went before the grand jury only once. I have been called before it I should say a half a dozen. I have no recollection. That I can't remember. There are four dates stamped upon the indictment: March 20, March 27, October 11 and October 23. I was subpoenaed each time. Left right in the store. There were other witnesses at times. They were not all in my store. Oh, no. Nobody else in our store except me. Some of the other witnesses were subpoenaed. The carman was subpoenaed once, I know. They were not all subpoenaed each time. I don't think so. I didn't see them. I did not at any time that I appeared in court see all the witnesses for the prosecution there. Not the witnesses that I should examine. Not the witnesses that I thought were necessary for the trial of this case. I waited in court these times that I was called, from half an hour to two hours, I should say. I don't think it was announced from the bench when I could go home, but either the district attorney or some of the defendant's lawyers notified me. Well, I got the information the best I could, so as to get to my work. Otherwise I might have stayed there longer. I did have some conversation with any of the district attorney's officers about the trial. I talked with Mr. La Barbier mostly. He had charge of the trial. He showed every disposition to prosecute the case, Mr. Moss. I don't know what the reasons were it was not tried. I did not ask him why it was not tried. Not particularly, because it was right in his hands. Sometimes there was too much on the calendar, I think, or something of that kind. He didn't have time. Nothing special that I remember. And the indictment still remains untried. It was put down the 7th or 9th of this month. The 7th, I think.

Mr. Moss—I think the case will be tried. That has been the history of those cases. As soon as they are called here they get tried. I think every case we have called in these past few weeks, relating to the district attorney's office, has been put on the calendar immediately. I want to compliment him for that.

The Chairman—Has the case been on the calendar?

Mr. Moss—It has been on the calendar four times during the year, and it is now set for the 7th of November again. I would be very glad indeed to call Col. Gardiner here to explain this case, but on account of the extraordinary attitude he has taken, of course that is hardly possible.

Mr. Bruce—The 7th of November is election day.

The Witness—I guess it is the 9th. I haven't had a subpoena yet.

By the Chairman:

Q. You understand it has been set for that day? A. Yes, sir, I think I heard the judge say it was that day; but I shall wait for a subpoena.

JOHN EDWARD MORDAUNT, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was the complainant against Isaac Caplan and Isaac Gurivitz.

Mr. Moss—I ask to have marked for identification the indictment of the people against the persons just named, filed the 30th of June, 1896.

(The indictment is marked "For identification, Exhibit No. 10, November 2, 1899.")

Mr. Moss—These persons were indicted for grand larceny in the second degree. I ask to have the information in this case, magistrate's court, in the first district, April 22, 1896, marked for identification.

(The information is marked "For identification, Exhibit No. 11, November 2, 1899.")

Mr. Moss—I think I should say for the record, for persons will read this record who are not lawyers, that when I say "information," I mean the ordinary complaint that is first made in the magistrate's court, which goes down to the district attorney's office, or to the grand jury, rather, from the magistrate's court, and becomes the basis for the drawing of the indictment.

The Witness—I believe it was in March, 1896, that Caplan himself gave us a small order for some goods, and we shipped them, to the amount of $36 at the time. He subsequently sent another order in for a hundred and fifty dollars or a hundred and sixty dollars, and we asked for a statement of his affairs. He signed a statement declaring it to be his standing financially, and we accepted it as such, and shipped his order; shipped his goods.

By the Chairman:

Q. What kind of goods were these? A. Cloak linings. I think four or five days after that his place was closed up. We discovered that he had taken goods over to Jersey. Had sold the balance of his stuff to a party in the city here; and, in fact, disposed of every asset that he had. He claimed in his statement that he owed so much money. We discovered that he owed about five times as much, by actual count, going around myself personally to the different creditors, which, in one instance, proved his statement false. Another thing, we discovered where he had taken most of his stock, and we found he had no such amount. We got his own bookkeeper to prove and swear that the bookkeeping entries were false, and simply there to make a showing. Altogether the statement was simply made for the sake of obtaining credit, and nothing else.

By Mr. Moss:

I worked this case up myself. I had a large number of witnesses. About fifteen. I had a perfectly clear case of swindle.

I don't think I could have had a clearer one. In my own case I had the goods delivered to him upon his representations. I had his written statement of his financial affairs. I had the proof that that statement was false. By fifteen reputable houses in the city. So that there was a perfect prima facie case of swindling. I could not make it stronger, no matter what I did. I made a perfectly impregnable case, I thought positively. This man was indicted, June 30, 1896. I don't know exactly how many times I have been to court in this case. About ten or eleven or twelve times. Something like that. I don't know exactly how many times I have been to court in this case since the first of January, 1898. I must have been four or five; three or four, anyhow. I spent in court, when I have been called in that way. Sometimes two hours; sometimes an hour and a half; sometimes three. My witnesses were served by the district attorney's office with subpoenas. So much so that they swore they would not come again the next time. They got disgusted. There were several times when I was required to serve those subpoenas. They had these subpoenas in the district attorney's office, and I went around in the night time. They were handed to me to serve. As complainant. I don't know as they were ever brought to me to serve. There was times when two or three witnesses were absent when the case was called. They could be got there inside of fifteen minutes. They were all within call.

Mr. Moss—I will read this indorsement:

"This case has been on the calendar of this court ten times. A careful examination of the papers in this case satisfies me that conviction could not be had, the complainant having also a remedy in the civil courts."

The Witness—This man was not good for a thing. I don't see what remedy I had at all in the civil courts. He had nothing whatever, for the simple reason that he had disposed of it all. He had misrepresented to me, and disposed of it. I

could have sued him and got a judgment, but there was nothing to collect there. There were dozens of others in the same way.

Mr. Moss (reading)—"The complainant having also a remedy in the civil courts. In view, therefore, of the foregoing, I am constrained to recommend that defendants Caplan and Gurivitz be discharged upon their own recognizance.

"ROBERT TOWNSEND,

"Assistant District Attorney."

"September 20, 1898."

The Witness—Discharged, did he say?

Q. Did you not know he had been discharged? A. I thought it was still coming up.

Mr. Moss—Hold on! "Part II, September 20, 1898. Nos. 1 and 2"—that means both defendants—"On motion of district attorney, both defendants discharged on verbal recognizance."

The Witness—I don't know anything about it. That was the first I heard of it.

The Chairman—Was the case set down for trial on that day?

Mr. Moss—There is nothing to show that. That was before they began to use the stamp.

The Witness—It was only the other day two weeks ago I was looking over the old account, and wondering whether they would bring it up again.

By the Chairman:

Q. You were looking over your other matters, and looked it over two weeks ago? A. Yes, sir.

By Mr. Moss:

Q. You were not consulted about this thing, were you? A. I don't remember a thing about it.

Q. Did you ever talk this case over with Mr. Townsend? A. I don't remember Mr. Townsend in the matter.

Q. Never saw Mr. Townsend, to your recollection? A. I may have done it. I don't remember. I remember Mr. Rosalski and Mr. McManus. I remember those two. I had the credit men of five different houses in the city here; the partners of four or five others; who were all willing to testify. We wanted to make an example of the man for the benefit of the trade. Those were houses that had been victimized, to the extent, some of them, of eight hundred dollars.

Q. How much altogether of thieving did you know of by these men? What did it amount to? A. About thirty-seven hundred dollars. The firms were, one was Boessneck, Broesel; Raben & Company; George Salomon; Clemmons. It is so long ago that I have forgotten. I could give you a whole list of them, for the simple reason that I have got them on a memorandum somewhere.

HENRY IRVING SCHOEN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was served with a subpoena to go down to the grand jury. It read that way, yes, sir; in the name of John Doe. I don't remember when it was I got that subpoena. It was pretty near a year ago. A stout gentleman whose name I never was made acquainted with, served it upon me. He found me at my place, 320 Broadway, the Central National Bank building. I did go down to the criminal court building. I did not inquire my way to the grand jury; he showed me the way. This man went with me. He took me with him. I did not find out whether that man was employed in the district attorney's office. I don't know. I never cared to find out but I tried to find out his name, and I could not. I got there about half past nine or quarter of ten,

or something like that. I was taken to Mr. Gray's office. Assistant District Attorney Gray. There was one room there. I was not taken to the grand jury. Mr. Gray wasn't there at all. I was just put in that office, and sat down, and sat there until some one came. It was about three hours until some one came. It was quarter of twelve when Mr. Gray came in, and he consulted this stout gentlemen, and then he went out again, and I supposed he had left. He didn't return again until about half past one. They didn't take me out to lunch. I didn't get any that day, either. Everybody seemed to take an interest in the subject about two o'clock. There was a kind of line of soldiers came walking in the room; six or seven men. Like a line of soldiers. They asked me several questions regarding the case, which I was an eye witness of. An accident case. I think so. The case of this little boy. His whole body was injured. Everard's brewery wagon ran him down. A case was pending by the mother of the boy against that brewery. I was an eyewitness of it.

Q. By this grand jury subpoena you were taken down to Mr. Gray's office, and then six or seven men came in, and they asked you questions about the civil action? A. No, they didn't ask me questions. They said, "Now, tell us what you saw. Tell us nothing but the truth." But when I tried to tell those gentlemen the truth they told me I am a liar. That is about it. I found out that one of the gentleman's name was Julian. He was a Metropolitan street railway man. I don't know what he does. But I know what he did to me. Just as I told you. He called me a liar several times; and when I did try to tell this man the truth, he didn't believe me and he told me something and tried to make me believe something which was not the truth. Mr. Gray was there. He came in, oh, he was there. He asked me to speak. When I had told my story, Mr. Gray said about the same thing. There were two young men there. One was formerly employed by Mr. Welsh. His name is Harry Kaufman. Mr. David M. Newberger was there, and he also joined in calling me a liar.

Q. Mr. David M. Newberger was the attorney for Mr. Everard, was he? A. I don't know. At the time of the trial Mr. Richards was.

Q. Mr. Lee states that David M. Newberger was the attorney for Everard in that case. He was there. A. He was there. When I told my story the lawyer said that I was a liar. Well, I can't recollect what he said. A few more gentlemen with whom I was not acquainted were also there. That conversation took until about half-past four; maybe more. And still no dinner. There was smoking in the room. I was nearly topsy turvy as it was. I can't stand smoke very well. I didn't know very much what I was saying or what I was doing, anyhow. I was rather worried, yes, sir. I thought I might be put in trouble. I thought I was going to be put in prison with it. That was last year. I had nobody with me to advise me or to help me; none at all. I am seventeen; last year I was sixteen, the 26th of August. The result of it was that after working so hard to make me tell what they thought was the truth, I suppose they got me to sign something, which they did— They did get me to sign something. They said it was the truth, but I did not. I felt that I was under compulsion and had to do it. I felt so, yes, sir; very much so. I was afraid I was to be put into prison if I did not. I was pretty nearly actually told so—that I would be put in prison; pretty nearly. It was said that if the facts were not the truth they would surely be found out sometime. I told them they were the truth. Then they said, "They are not the truth, and if you don't tell the truth you will be put in prison, and you will be arrested." Once in a while a policeman did stick his head into the window.

Q. It was spectacular—a sort of small edition of the third degree? A. Something like it. I did sign something, but I don't know what it was. I don't know who wrote the paper. There was a gentleman there taking down just what I spoke, yes, sir. I don't know to whom that paper was given. I don't know whether it got into the possession of Mr. Newberger. I didn't care where it went to. When they came to try the civil

case in court I don't know whether Mr. Newberger had that paper. I was subpoenaed again. The first subpoena I gave to Mr. ——, or rather Colonel James, and he must still have it in his possession, because I told him to keep it. Then I was subpoenaed again. Some time after that this Harry Kaufman I was talking about came into the office and handed me another subpoena. I told him I would not go with him, because the first time I had pretty much—well, it kind of turned my mind, anyhow. I was kind of run down after that. I was worrying and weak. Mother was worried. If you will let me tell you a little incident that occurred. In the morning this here stout gentleman, whose name I don't know, called at our house, 315 East Forty-ninth street. That is where I lived. I was down town at work, and he went in to see my mother, and he wanted to see me actually, but she told him that I was down to business. So he said, "Well, I want to serve a subpoena on him. He has got to come and go to the Criminal Court." So my mother was very much frightened. She thought I had been committing something, although I hope she didn't think bad of me; but she did really think I would be imprisoned, because "criminal" kind of made her think so. She didn't know what I had done. He said he doesn't know anything about it, but "He must go to court immediately." So she told him where I was working at the time, and he went down and came to the office. That is how I came to be subpoenaed.

Q. The first day you went down there did you ask permission to go out to lunch? A. Well, I didnt seem to get any chance.

Q. Will you tell me about the second subpoena? A. This Harry Kaufman came to the office. He was formerly employed by Mr. Walsh, and now he is with Julian. The Metropolitan——

Q. He has gone over to the other side? A. Yes, sir; he has gone to the Metropolitan Street Railway. He came there with this subpoena and told me I had got to go. I told him I wouldn't go until I had spoken to somebody to advise me this time. This time I was going to make sure where I was going. So I went down to Colonel James, and he told me, "Don't you go. This

isn't straight. There is something wrong about it." I found out afterwards that it was so. So I did not obey it. But then he brought another fellow with a gold badge on his suspender, and he came in like this [illustrating], and he says, "I come here from the district attorney. I am a detective. You have got to go along immediately or I will arrest you." His name was Smith. I asked him his name. I don't know whether it was his right name or not. He said his name was Smith. I said, "Who are you, anyhow?" They told me he came from the district attorney's. "Here is the badge. Come right along with me." "Well, I won't go down with you to the court before I telephone Colonel James and tell him all that has happened up here." So I rung them up. I couldn't get anything out of them at all. I got him rattled that time, because I told him I thought there was something crooked about it, as there was the first time; so he kind of changed his mind and let me alone. Then he came afterwards and told me the same thing—that I had got to go; but I would not go. So I kept the subpoena. I gave it to Colonel James. I do not remember where the second subpoena required me to attend. I believe, though, at the same place. I never did attend before the grand jury.

SAMUEL LECS, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the father of the boy that was injured. And it was about my case that all of this disturbance took place. I was suing for the child; guardian ad litem. I had obtained a judgment in my suit, and this boy Schoen had been a witness in the case.

Q. Was there an application made for a new trial after you got your judgment? A. No, an application was made about two years after—no, the application was made after the judgment was affirmed by the appellate division, after an appeal by Everard. After that affirmance an application was made for a new

trial. Upon that application for a new trial a statement was put before the court, made by this young man Schoen. A statement that was taken from him in the district attorney's office. I have heard him testify how that statement was got from him. And that is the statement that was used in the civil suit, in order to attempt to get a new trial. The new trial was granted upon that affidavit. Extracted from the boy in the district attorney's office in the way I have stated, and one more affidavit of a man that they bribed after that, and promised all the protection, and they did protect him. It is through the assistance of Julian that one of these witnesses who testified was in court, an eye witness of the accident, was bribed by David M. Newberger, with the assistance of Julian—that that witness went back on his testimony, on the promise that they would protect him, and they have given him a certain amount of money; and if any trouble will come to him, David M. Newberger so expressed to the witness, "We will protect you. I have got the office of the district attorney and no harm will come to you. Just take that money and change your testimony, what you testified in court. Just say that you was compelled by Mr. Welsh to so testify."

Q. Who was Julian working for in this matter? A. He was working——

Q. Do you know whether he was employed by Everard? A. No, he is not. He is merely trying to—I can't make out what it was.

Q. What had he to do with Everard's case? A. He is the assistant of Newberger.

Q. What proof have you of your statements of Newberger influencing this other witness? A. Because the witness himself so told me, in the presence of other witnesses. That witness' name was Collins, a negro, the one who picked the child up. Collins, the negro, had testified in my case in my favor, and I say that he was induced to make a false affidavit, yes, sir. And that different affidavit went before the court on the application for the new trial. And I say that I heard Mr. Collins say in the presence of other witnesses—other persons—that he had been

given money by Newberger and promised protection, in the testimony he would give. I say that he said that Mr. Newberger said that he was all right with the district attorney's office. No harm will be done to him.

Q. And you have heard the testimony that Mr. Newberger really was using the district attorney's office to get this statement from Mr. Schoen? A. Those that they could not bribe; so he went to the assistant district attorney Gray, and he helped him suborn this boy to do my cripple up, because he could not bribe the boy. I don't believe the boy could be bribed, because he told the truth, and his mother is in pretty well circumstances, so the boy don't need it; so they could not bribe the boy, and they needed more affidavits so they went to work with the help of Mr. Gray to suborn the witness. Using the grand jury subpoenas for the purpose. I came over to him that night, and I was scared; and that boy was wild; I could not talk to him. He says, "Let me alone, Mr. Lees, I am pretty nearly crazy." His mother was crying, and his two sisters were crying, and he says, "Get out of here, you got me into trouble." I says, "What did they do to you?" They said I should not speak. I says, "You didn't commit any crime. If you were a witness on the stand you testified what you saw. I don't know why those people should have you there." He was that near crazy I couldn't talk to the boy for a day or two.

EDWARD MILLER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was connected with Mr. Welsh's office. I was managing clerk. At the time of Mr. Welsh's hearing before the magistrate I met Henry Schoen in the corridor of the Criminal Court House building. I says, "Henry, what are you doing here?" He says he was subpoenaed to appear before the grand jury. So I said, "Let me see your subpoena." So he showed me. He had two subpoenas in his pocket at the time, and both required him to attend before the grand jury. They were grand jury subpoenas.

BERNARD L. SHAPERO, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was complainant in the charge against Henry Lux for burglary.

Mr. Moss—I offer for identification the indictment of June 29, 1899.

(The indictment is marked "For identification, Exhibit No. 12, November 2, 1899.")

The Witness—This is a charge of an attempted burglary. The value of the goods was about five thousand dollars. The place was No. 84 Walker street. The business there is manufacturing clothing. I had a corroborative witness. His name is Daniel Martin.

Mr. Moss—I ask to have marked for identification the complaint before the first magistrate's court, dated June 27th.

(The complaint is marked "For identification, Exhibit No. 13, November 2, 1899.")

Mr. Moss—There is a complaint of Mr. Shapero, duly sworn to, which is followed by this affidavit:

"Daniel Martin; age seventeen; occupation, clerk; 173 Ludlow street; being duly sworn deposes and says that he has heard read the foregoing affidavit of Bernard L. Shapero. That the facts stated therein, on the information of deponent, are true of deponent's own knowledge.

"DANIEL MARTIN."

"Sworn to before me.

"MAGISTRATE CRANE."

The Witness—I attended court in this case about six or eight times. Here are the subpoenas.

By the Chairman:

That indictment is June, 1899.

By Mr. Moss:

I had to attend in court all day. I know that this case has been dismissed, but the case didn't come up before the bar. It was not called for trial. In the Fifth district one of the officers, the detective, called him inside and asked—he shall explain what he knows about that Lux. The district attorney called the officer inside and asked him to explain the Lux case. The district attorney said, "Is that all?" "Yes, sir." He said that to the district attorney. He said it was not sufficient evidence. Afterwards he called the other officer, and he asked him the same questions, and he says, "If you aint got more evidence, it is not sufficient." So soon afterwards he left the courtroom and of course I was disgusted, and the same thing with the detectives. One of the detectives was disgusted like myself. He said to me, "My God, on less evidence than this they have sent people to the electric chair." One detective is named Milhauser, on the Elizabeth street station. The other one, Mr. Bergen, I am not sure. They told me the district attorney was Blumenthal, the assistant. Mr. Blumenthal did not ask me anything about the case; he didn't call me, even. No district attorney asked me about the facts in the case; not one of them. The only inquiries were made of the police officers. No district attorney spoke to Mr. Martin as far as I know.

DANIEL MARTIN, being duly sworn, testified as follows:

By the Chairman:

I am seventeen. I understand what an oath is.

By Mr. Moss:

I was not employed by Mr. Shapero. I was in the place. I did see these burglars at work. I seen one man. He was down

in his place, and his name is William Sterne. There was another man; his name was Henry Lux. He was upstairs in an empty floor, and I was on the top floor. I did not know these men. I happened to look down as he looked up. He said something to me, and I didn't understand what he said, and I told him to wait a minute until I got down stairs—when I rose off my chair to run down stairs. Then about a week ago I was called over to the police court and I picked him out among six men. I actually identified this man Lux. I made my affidavit in the police court. I saw Mr. Sterne's face. He was down in the place. I don't know what he was doing. I guess he stealed. I happened to see him walking around down stairs. Lux was looking down stairs. Sterne made a confession he was down stairs. He saw me in the place.

Mr. Moss—I read the endorsement: "I have conferred with the police officers connected with this case and with the complainant's witnesses, and from their statements to me I find that there is not evidence sufficient in the case to warrant a conviction. The testimony of one Sterne, the principal participant, cannot be sufficiently corroborated, and without corroboration it will be useless, because of his conviction of the crime charged herein and his incarceration in prison. I recommend that the defendant be discharged on his own recognizance.

"New York, July 12, 1899.

"J. D. McCLELLAND,
"*Assistant District Attorney.*"

The Witness—Mr. McClelland did not ask me any questions. No assistant district attorney asked me any questions. I did not have any consultation with any member of the district attorney's office.

Q. I have read you here the statement that Mr. McClelland talked with you about this case; did he? A. No, sir.

Mr. Moss—Mr. Shapero, you are still here?

The Witness Shapero—Yes, sir.

Mr. Moss—I have read you the statement of Mr. McClelland that he conferred with the complaining witnesses. That means you and Mr. Martin. Did Mr. McClelland ever speak to you?

Mr. Shapero—Never.

Mr. Moss—You saw Mr. McClelland there, did you; a tall, rather large man?

The Witness—I couldn't say. I was sitting in the back.

Mr. Moss—But there was no district attorney that conferred with you about your evidence.

The Witness Shapero—No.

The Chairman—Do you know Mr. McClelland?

The Witness—I don't know him. I asked one of the detectives who was the district attorney and he told me Blumenthal. That is all I know.

Mr. Moss—Did you see Mr. Blumenthal? Did you know him?

The Witness Shapero—I have seen him. I wouldn't recognize him if I saw him here.

The Chairman—Did he talk with you about the case?

The Witness Shapero—No, sir.

Mr. Moss—Did you talk with any other official besides the police officer about this case?

The Witness Shapero—No, sir; with nobody.

Mr. Moss—Did you talk with any other public official besides the police officer?

The Witness Martin—No, sir.

Mr. Hoffman—What became of Sterne?

The Witness Martin—I guess he was put away. I ain't sure.

Mr. Hoffman—How many years did he get?

The Witness Martin—I don't know.

Mr. Hoffman—Let it go upon the record that he was convicted and sent to prison.

Mr. Moss—Yes.

Mr. Bruce—The record is not here.

Mr. Moss—Do you know what became of Sterne?

The Witness Shapero—Only the detective told me——

Mr. Moss—This indictment is only against Lux. I have not the Sterne indictment, and, therefore, of course I cannot tell. But upon the Lux indictment is this endorsement:

"Part II, July 12, 1899. On motion of the district attorney, discharged on his own recognizance.

"J. E. N."

"N" means Newberger.

Mr. Hoffman—There were two separate indictments?

Mr. Moss—Two separate indictments.

Mr. Bruce—We will have the indictments here to-morrow morning.

The Chairman—You get the indictment and have it here to-morrow.

Mr. Bruce—Yes, sir; they will all be here to-morrow morning.

Mr. Moss—What did you want to say?

The Witness Shapero—After they recalled me and the detective——

Mr. Moss—After you left the court you had a talk with the detective?

The Witness Shapero—Yes, sir; I asked them what advice they could give me, because I was very sorry for such a thing.

The Chairman—What detective was this you talked to?

The Witness Shapero—Milhauser and Bergen.

Mr. Moss—Burke?

The Witness Shapero—Burke. They were from the Elizabeth street station. So I asked them my advice, and they said, "Shapero, I couldn't give you no advice, because we have got to look for our bread. But anything you will do, if you need our assistance, we will appear and state it the way it was." That is what they promised me.

The committee adjourned to meet at the same place Friday, November 3, 1899, at 10.30 o'clock a. m.

BOARD OF TRADE ROOMS, 203 BROADWAY, NEW YORK.

FRIDAY, *November* 3, 1899, 10.30 a. m.

The committe met pursuant to adjournment.

Present: Mr. Mazet (the chairman), Mr. Fallows, Mr. Wilson, Mr. Hoffman and Mr. Boland.

Mr. Croker (at 11 o'clock)—Mr. Fallows, I have got a lot of work to do up town to-day. I have waited here half an hour. I would like to go back to my work. I came here for the purpose of going on the stand to contradict under oath speeches made by Mr. Mazet in relation to myself.

Mr. Fallows—I think Mr. Mazet will be in in just a moment.

Mr. Croker—Is he here?

Mr. Fallows—He is here. He just came in a moment ago. He will be in in three or four minutes.

The Chairman (after taking his seat)—Is Mr. Croker present?

Mr. Croker—Yes, sir.

The Chairman—I understand you want to make a statement?

Mr. Croker—Yes, sir.

RICHARD CROKER, being recalled, testified as follows:

The Chairman—I am sorry if I kept you waiting.

The Witness—All right; better late than never.

Mr. Hoffman—The witness has already been sworn.

The Chairman—Well, proceed, Mr. Croker.

The Witness—Mr. Chairman, I am here under oath, I presume.

The Chairman—Yes, I understand you are.

The Witness—I want to contradict speeches that you have made in reference to myself throughout your district, under oath. You know the speeches you have made, don't you?

The Chairman—What is it you want to contradict? Make any statement.

The Witness—I want to contradict the speeches you have made in reference to my dealings with the Consolidated Gas Company, and trying to sell stock to that company—unload—belonging to the Amsterdam. That is what I understand you to say in your speeches. I deny that now on the stand.

The Chairman—Is that all?

The Witness—That is all.

The Chairman—You are excused.

The Witness—Do you want me any more?

The Chairman—No, sir.

The Witness—Will you please take the stand and swear to what you said?

The Chairman—If you are through, will you step down from the stand?

The Witness—Yes, sir.

Mr. David M. Newberger—May I crave the indulgence of the committee for a moment.

The Chairman—Not just now.

Mr. Newberger—Will you give me the opportunity, when Mr. Croker is finished, for a moment? I have an engagement in court, and I desire a moment.

The Chairman—I wish you would talk to Mr. Moss and Mr. Clarke.

Mr. Newberger—I do not think, inasmuch as the impression has gone out by the reports——

Mr. Clarke—We cannot have this.

The Chairman—I have asked you to confer with Mr. Clarke, who is counsel for the committee, and you will kindly do that.

Mr. Clarke—Now, Mr. Chairman, we cannot have speeches.

Mr. Newberger—I do not propose to make speeches. I will ask to take the stand, if you refuse.

The Chairman—I ask you to confer with Mr. Clarke, and he will treat you with all kindness and courtesy.

Mr. Newberger—I understand your committee——

Mr. Clarke—That will not do. I ask that this gentleman be compelled to take his seat.

The Chairman—Yes. The Sergeant-at-Arms will see that Mr. Newberger takes his seat.

Mr. Clarke—We will not have any stump speeches in this room.

Mr. Newberger—These are not stump speeches.

Mr. Clarke—No, nor any other kind.

Mr. Newberger—It is all your way.

Mr. Clarke—Yes, all my way.

The Chairman—Mr. Newberger, I told you this morning that if you would confer with Mr. Clarke he would talk with you, and he will do that.

Mr. Newberger—I do not want to say anything——

The Chairman—Sergeant-at-Arms, see that Mr. Newberger keeps quiet, or he will leave the room.

Mr. Newberger—I did not understand that everybody was defenseless, Mr. Chairman.

The Chairman—Talk with Mr. Clarke and explain the situation.

GEORGE P. HAMMOND, Jr., being recalled and further examined, testified as follows:

Examined by Mr. Moss:

An effort has been made to secure certain papers from the district attorney's office in the case of McDermott and Ellis. A subpoena duces tecum sent to the office of the district attorney for the purpose of securing those papers. A subpoena was made out for W. J. McKenna, and served on Mr. McKenna. McKenna told the subpoena server that he could not produce the papers, as they were in the hands of the district attorney himself. That case of McDermott is the case that was testified to the other day, where a man had killed another, and was indicted for assault. That is the case in which the district attorney has recently made a motion to discharge the bail, I believe, and the motion was denied by Judge McMahon, and the papers are reported to be in his hands personally. That is the report. And that Mr. McKenna, the clerk, could not respond to the subpoena for that reason.

By Mr. Hoffman:

I did not serve the subpoena personally upon Mr. McKenna.

Q. The statements you made are statements that are hearsay, derived from some other person? A. The statements I make are the reports presented to me by Mr. Dillon, whom I directed to serve the subpoena upon Mr. McKenna. I made the subpoena out for Mr. McKenna myself.

Q. And concerning the reports Mr. Dillon made you have no personal knowledge? A. Only his word for it.

EDWARD J. REARDON, being recalled and further examined, testified as follows:

Examined by Mr. Moss:

Mr. Moss—Is there any one here representing the district attorney, with papers in the McDermott and Ellis cases? (No answer.)

The Witness—I endeavored after the report of Mr. Dillon, to serve a subpoena upon Colonel Gardiner personally, for the production of those papers. I had quite some trouble to find Colonel Gardiner. His assistant refused to let me see him. The officer in charge. The police officer in charge of the door in his office refused to allow me to see him. The outer guard. I did not get to the inner guard nor to the guard at the portal. I went to the district attorney's office about four o'clock yesterday. I asked to see Colonel Gardiner. I was told he was too busy to be seen. I told him it was a personal matter. He said no, I couldn't see the colonel. I waited down stairs at the foot of the elevator until six o'clock and Colonel Gardiner came down, accompanied by two men, and went out into the street. I followed Colonel Gardiner and touched him on the arm and told him I had a paper for him. He told me he didn't want any paper. With a sweep of his arm he said, "I don't want any paper." I slapped him on the shoulder with the subpoena and

left it there. The subpoena fell to the sidewalk, and he went on and left it there. I understood that that was a complete service.

Q. Was that subpoena brought to the office this morning by a police officer? A. That I don't know.

Mr. Moss—Was it, Mr. Hammond?

Mr. Hammond—It was brought here by an officer with a note from Captain Thompson, saying it was found in the street. I refused to accept it and told the officer to take it back where he got it.

DAVID M. NEWBERGER, being duly sworn, testified as follows:

Examined by Mr. Moss:

Q. I understand that you want to deny a statement that was made upon the stand yesterday. Being a member of the bar, and this being a matter relating to your conduct as a member of the bar, to some extent, you have the opportunity of registering your denial, if you care to? A. I think that it is due to you and the members of the committee that more than a denial should be placed on the record. I think that my duty to you and my duty to the honor of the profession demands something more than that. Mr. Lees is the father of a boy who was injured in an accident on Third avenue and Fifty-fourth street on the 22d of October, 1896, by a brewery wagon of Everard's Brewery, for whom I am counsel. His attorney was Mr. Ernest M. Welsh, a member of the bar of this city, known as an ambulance chaser.

Mr. Moss—Now, Mr. Newberger!

The Witness—I will withdraw that statement. I don't want to make any trouble.

Mr. Moss—You have been given the stand upon the assumption that you were a professional gentleman.

Mr. Newberger—Very well.

Mr. Moss—And you are before the committee of the Assembly.

Mr. Newberger—I will withdraw the statement.

The Chairman—Confine yourself as strictly as you can to the point.

The Witness—Mr. Welsh brought an action in the Supreme Court, Kings county, to recover damages against the Everard Brewery. He tried the action and recovered a judgment of ten thousand dollars. In that action he used as a witness the boy Schoen, who was on the witness stand yesterday before you, together with a man named Rinke, together with a man named Collins. A year after that, upon an application made through my instrumentality, it appeared that the boy Schoen had perjured himself upon the trial.

Mr. Moss—Wait.

The Witness—That is the decision of the Supreme Court.

Mr. Moss—Well, I know——

The Witness—I will withdraw that statement, then.

Mr. Moss—Do not state conclusions of law.

The Witness—I am stating the decision of the court. I will give it to you word for word, if you desire it. I remember it thoroughly. I wish you would permit me to give you that decision word for word.

Mr. Moss—I wish you would send it to me.

The Witness—I will give it word for word, one part. It is indellibly impressed upon my mind. If I am wrong you can see the decision.

By Mr. Hoffman:

Q. You began to testify that an application was made for a new trial. What judge heard that motion? A. Yes, sir. I think Mr. Clarke would like to hear that as well. A motion was made before the Supreme Court, Mr. Justice Hirschberg, who had tried the case, to set aside that verdict. Mr. Justice Hirschberg wrote an opinion in which he stated that he was satisfied, confirmatory of the impression that he had upon the trial, that the witness Rinke, and the witness Schoen, who testified before you here yesterday, did not tell the truth; and thereupon he set the verdict aside, stating in his decision—using the following language: "For a fraud perpetrated upon the trial court in the presentation of perjured testimony; not only did the plaintiff's attorney, Mr. Ernest M. Welsh, practice such a fraud, and present such perjured testimony to the court, but actively inspired in its manufacture." And he set the verdict aside. Thereupon the witnesses Rinke, Collins, with Mr. Schoen (who testified with Mr. Schoen) were upon their own confessions arrested for perjury. They were convicted by their own—upon their own plea of guilty—after having been in Kings county jail for eleven months. A proceeding was then taken against Ernest M. Welsh, for whom Mr. Elkus and his partner, Colonel James, was counsel. He was arrested for subornation of perjury, and conspiracy with these witnesses, to obtain this verdict. In that proceeding grand jury subpoenas were issued. I assisted the district attorney's office, having collected this evidence for nearly a year. I assisted the district attorney's office and the gentleman who was deputed to take charge of the prosecution, in getting together the facts. The subpoenas in blank form were handed to the assistant in the office to make out. Among them were subpoenas for these perjurers, who had been convicted, or who were in jail, and some other witnesses in this city. One of them was for Mr. Henry

Irving Schoen, and by assisting the district attorney's office in getting out these subpoenas, I filled out a subpoena for Mr. Schoen, as I did for other witnesses. Mr. Schoen appeared in the district attorney's office, in an office, without any suggestion to him without any intimation, without any inducement, without any promise, and stated that he had been suborned by Mr. Welsh, as the other witnesses were, and he even dictated at the end of the affidavit which he signed in the district attorney's office language changing the character of the affidavit in a form which he said was different from what he had sworn to upon the trial.

By the Chairman:

Q. Then it was you who wrote out the subpoena? A. Yes, sir, I wrote out the subpoena, at the request of the district attorney's assistant, assisting him in preparing the case. When Mr. Schoen received that subpoena, and after he had made his statement voluntarily, Mr. Lecs, who was a next door neighbor to this boy, took him down into Colonel James's office, and Colonel James refused to allow him to appear again before the grand jury. Mr. Welsh is now under indictment, prosecuted by me, and has been held by Magistrate Cornell in $3,000 bail; and we hope to convict him, if the evidence against him is sufficient to warrant his conviction, and we will be pleased to have your assistance, Mr. Chairman; also Mr. Moss's; and I think it is our duty to call it to your attention to see that he is finally disbarred. I am much obliged to you.

Mr. Moss—Mr. Elkus stated yesterday that a gentleman who had written and issued the grand jury subpoena had been severely condemned and lectured—reproved, I think was the expression.

Mr. Bruce—Reprimanded.

Mr. Moss (continuing)—Reprimanded by Colonel Gardiner. Was that you?

The Witness—I don't think I ever received a reprimand from Colonel Gardiner, except that it was stated to me that it would,

perhaps, have been wiser if someone in the district attorney's office had made out the subpoena. The subpoena was a printed form subpoena, and the body of it only filled out for grand jury purposes.

By Mr. Moss:

We prepared the case for presentation to the grand jury. I was assisting him in the regular way. And I was the attorney for Mr. Everard.

Q. You, the private attorney for Mr. Everard, interested in the result of that action, were assisting the district attorney, and through the subpoena were helping to question the witnesses, some of the witnesses who testified in that case? A. Not at all.

Q. There had been an application for a new trial, which was granted, had there not? A. Yes, sir.

Q. And the case was to be tried again? A. Yes, sir.

Q. And you were to be the attorney for Everard upon the new trial? A. One of them.

Q. And you were permitted by the district attorney, while the private counsel of Everard in a private action, to use the grand jury subpoenas, and to take the grand jury process, the district attorney's process, using the same for the examination of witnesses who were possibly to testify against your client upon the civil action; is not that so? A. Not at all.

Q. How does my statement differ from the fact? A. In this way; that the district attorney's officers are entitled to be assisted by counsel, who have more information upon the subject than they have, because——

Q. That does not differ from what I say. You were undoubtedly the private counsel of Everard? A. There is no question about that.

Q. And undoubtedly you were going to have a new trial? A. I was the complainant——

Q. Now, you were going to have a new trial? A. We had had it some time before that.

Q. A new trial? A. Yes, sir.

By Mr. Hoffman:

Q. What was the verdict upon the second trial? A. Col. James tried the second case. Another part of the accident, an action by the mother, two weeks ago, and the verdict was for the defendant. Samuel Lecs would not take the witness stand—the man who was here.

By Mr. Moss:

Q. That answers the question. There was another action pending, the action by the mother? A. Yes, sir.

Q. And in that action you were to be the counsel, of course? A. Yes, sir.

Q. And you did try it? A. Yes, sir.

Q. And while there were civil actions pending, and you were the counsel in the action, you had the advantage of the district attorney's process in the examination of the witnesses who were likely to or perhaps would, testify upon the civil trial. Is not that so? A. Not at all.

Mr. Moss—I cannot see it in any other way.

The Witness—The proceeding was pending in the district attorney's office against Ernest M. Welsh, who was not the plaintiff's attorney in the cases that were to be tried.

Q. But in that proceeding you made an examination of Henry Schoen, who was an eye witness to the accident, did you not? A I did not.

Q. You participated in it, did you not? A. I did not.

Q. You helped in it? A. I did not.

Q. Where were you? Were you there? A. No, sir, I was not in the room at the time.

Q. You wrote out the subpoena? A. I was in the room a part of the time and sat there and listened.

Q. You wrote out the subpoena? A. I wrote out part of the subpoena—or all of it.

Q. That is all there is in the matter? A. That is all. I am very much obliged to you.

By Mr. Hoffman:

Q. Had you heard the evidence which was given by Lecs and Schoen upon the first trial of the action before Mr. Justice Hirschberg? A. I heard the evidence of the boy Schoen. Whether Lecs testified at that time, I can't recall now. The boy testified that he saw the whole accident. I am much obliged to you, Mr. Moss.

Mr. Moss—At this point I hand to the stenographer the list of the contracts which were brought here by the commissioner of accounts the other day.

"The reports of the commissioner of accounts criticizing contract work done under the department of highways, produced on November 1, 1899, were sixty in number, and bore the commissioner's file numbers as follows: 112, 207, 214, 293, 294, 353, 54, 69, 70, 77. August 31, 1898, Home street, 87, 105, 106, 107, 109, 110, 111, 201, 298, 299, 315, 352, 373, 377, 40, 41½, 43, 52, 55, 60, 87, 113, 183, 185, 186, 196, 198, 61, 65, 78, 206, 58, 64, 67, 68, 220, 229, 360, 368, 331, 334, 339, 340, 345, 346, 369, 370, 371. The contracts criticized by said reports and produced by the comptroller, were as follows:

FOR REGULATING AND GRADING, FILLING OR CURBING AND FLAGGING.

BRONX.

1. Ogden avenue. One Hundred and Sixty-ninth street to Washington bridge.
2. Tremont avenue. Jerome to Aqueduct avenue.
3. Tiffany street. Intervale avenue to East River.
4. One Hundred and Thirty-seventh street. Brook avenue to Southern Boulevard.

5. Clinton avenue. Crotona Park to One Hundred and Eighty-second street.
6. Marion avenue. One Hundred and Eighty-fourth street to Mosholu Parkway.
7. Arthur avenue. Tremont to Pelham avenue.
8. La Fontaine avenue. Tremont avenue to Quarry road.

MANHATTAN.

9. Audubon avenue. One Hundred and Sixty-fifth street to One Hundred and Seventy-fifth street.

BRONX.

10. One Hundred and Thirty-eighth street. Alexander avenue and Harlem River. P. J. Duffy, contractor.

MANHATTAN.

11. Eleventh avenue. Dyckman street to Fort George avenue. Michael Fitzgerald, contractor.

BRONX.

12. Brook avenue. One Hundred and Sixty-fifth street to Wendover avenue. Geo. Clark, contractor.
13. Home street. Intervale avenue to Westchester avenue. Chas. W. Collins, contractor.
14. One Hundred and Fifty-eighth street. Walton avenue to River avenue. Spencer & Maher, contractors.
15. Marcher avenue. Jerome avenue to Featherbed lane. W. F. Murray, contractor.
16. Tremont avenue. N. Y. & H. R. R. to Jerome avenue. W. J. Rodgers, contractor.
17. Morris avenue. N. Y. & H. R. R. to Grand Boulevard. D. W. Moran, contractor.
18. One Hundred and Eightieth street. Third avenue to Webster avenue. P. Handibode, contractor.
19. Clinton avenue. Crotona Park to One Hundred and Eighty-second street. D. W. Moran, contractor.

20. Brook avenue. One Hundred and Sixty-fifth street to Wendover avenue. Geo. Clark, contractor.
21. Stebbins avenue. Dawson street to Boston road. J. J. Haidyven, contractor.
22. Crotona avenue. Boston road to Southern Boulevard. F. P. Whiton, contractor.
23. Loring place. One Hundred and Eighty-first street to Fordham road. J. A. Flynn, contractor.
24. Brown place. Southern Boulevard to One Hundred and Thirty-fifth street. D. W. Moran, assignee of J. Melody.
25. One Hundred and Twenty-seventh street. St. Nicholas avenue to St. Nicholas terrace. W. P. Baird.
26. Norwood avenue. Woodlawn road to Two Hundred and Seventh street. W. G. Leeson.
27. Parkside place. Webster avenue to Two Hundred and Seventh street. W. G. Leeson.
28. Perry avenue. Woodlawn road to Two Hundred and Seventh Street. W. G. Leeson.
29. Two Hundred and Fifth street. Webster avenue to Woodlawn road. W. G. Leeson.
30. Two Hundred and Sixth street. Perry avenue to Woodlawn road. W. G. Leeson.
31. Two Hundred and Seventh street. Woodlawn road to Parkside place. W. G. Leeson.
32. One Hundred and Sixty-seventh street. Third avenue to Franklin avenue. Geo. Clark.
33. One Hundred and Seventy-third street. Southern Boulevard to West Farms road. T. J. McLaughlin.
34. Valentine avenue. Burnside avenue to Kingsbridge road. Geo. Clark.
35. Arthur avenue. Tremont avenue to Pelham road. Geo. Clark.
36. Plimpton avenue. Boscobel to Orchard streets. B. C. Murray.
37. Loring place. One Hundred and Eighty-first street to Fordham road. J. A. Flynn.

38. Andrews avenue. One Hundred and Eighty-first street to Fordham road. J. A. Flynn.
39. Wilkins place. Boston road to Southern Boulevard. Geo. Clark.
40. One Hundred and Fifty-first street. Mott avenue to Exterior street. Owen Martin.
41. One Hundred and Sixty-third street. Third avenue to Westchester avenue. W. J. Rodgers.
42. Eagle avenue. One Hundred and Forty-ninth to One Hundred and Sixty-third streets. W. P. Baird.
43. Aqueduct avenue. Lind to Kingston avenue. J. B. McDonald.
44. St. Joseph's street. Robbins avenue to Whitlock. T. J. McLaughlin.
45. Home street. Boston road to Intervale avenue. D. W. Moran.
46. One Hundred and Sixty-ninth street. Jerome avenue to Boscobel. Spencer & Maher.
47. Boscobel avenue. Jerome to Washington Bridge. Thielman & Smith.
48. Sheridan avenue. One Hundred and Fifty-third to One Hundred and Sixty-first streets. W. J. Rodgers.

BROOKLYN.

49. West Seventeenth street, between Surf and Canal. T. E. Desmond.

PAVING (ASPHALT).

Court street. Brooklyn Alcatraz Asphalt Company.

MANHATTAN.

West Broadway. Sicilian Asphalt Paving Company.

Eighth avenue. Fifty-ninth to One Hundred and Tenth streets and One Hundred and Tenth street to Harlem River. Atlantic Alcatraz Asphalt Company.

BROOKLYN.

Belmont avenue. Rockland avenue to Powell street. Cranford & Co.

MANHATTAN.

Forty-ninth street. Seventh to Eighth avenues. Sicilian Asphalt Paving Company.

Sixty-ninth street. Central Park West to West End avenue. Warren-Scharf Company.

Eighty-first street. Park to Madison and First to Third avenues. Warren-Scharf Company.

BRONX.

Trinity avenue. One Hundred and Sixty-third to One Hundred and Sixty-sixth streets. Asphalt Construction Company.

Union avenue. Southern Boulevard to Boston road. Barber Asphalt Paving Company.

MANHATTAN.

Eighth avenue. One Hundred and Tenth to One Hundred and Thirty-fifth streets. Barber Alphalt Paving Company.

Eighth avenue. One Hundred and Thirty-fifth to One Hundred and Fifty-fifth streets. Barber Asphalt Paving Company.

Forty-eighth street. Eighth to Eleventh avenues. Barber Asphalt Paving Company.

One Hundred and Eleventh street. Fifth to Avenue A. Asphalt Construction Company.

Fourth street. Broadway to Second avenue. Barber Asphalt Paving Company.

Sixty-eighth street. First to Third avenues. Fruin-Bambrick Paving Company.

Seventh street. Avenue C to Lewis street. Warren-Scharf Company.

Seventy-fourth street. First to Park avenues. Barber Asphalt Paving Company.

One Hundred and Fourteenth street. Amsterdam to Riverside. Hastings Pavement Company.

One Hundred and Eighty-second street. Boulevard to Amsterdam avenue. Hastings Pavement Company.

Claremont avenue. One Hundred and Sixteenth to One Hundred and Twenty-seventh streets. California Asphalt Company.

One Hundred and Forty-third street. Boulevard to Railroad. California Asphalt Company.

One Hundred and Fourteenth street. Amsterdam to Riverside. California Asphalt Company.

One Hundred and Eighth street. Central Pk. W. to Columbus. Barber Asphalt Paving Company.

BROOKLYN.

Twelfth street. Third to Seventh avenues.

Gates avenue. Ralph to Bushwick. Cranford & Co.

Macon street. Stuyvesant to Reid. Brooklyn Alcatraz Company.

Bainbridge street. Street to River. Brooklyn Alcatraz Company.

Verona place. Macon to Fulton. Brooklyn Alcatraz Company.

Pacific street. Brooklyn to Kingston avenue. Cranford & Co.

Prospect place. Brooklyn to Kingston avenue. Cranford & Co.

Butler street. New York to Nostrand avenue. Cranford & Co.

Orient avenue. Metropole avenue to Olive street. Eastern Bermuda Asphalt Paving Company.

Park place. New York avenue to Nostrand avenue. Crawford & Co.

Utica avenue. John F. Maillie.

MANHATTAN.

One Hundredth street. First to Second avenues. Stone & Thurston.

One Hundred and Eighty-third street. Amsterdam to Kingsbridge. Hastings Paving Company.

Seventy-second street. Fifth to Madison avenue. Fruin-Bambrick Company.

Pell street. Bowery to Mott. Fruin-Bambrick Company.

Oliver street. Cherry to Madison. Fruin-Bambrick Company.

Astor place. Broadway to Fourth avenue. Fruin-Bambrick Company.

One Hundred and Sixty-sixth street. Edgecombe to Amsterdam. Hastings Paving Company.

One Hundred and Seventy-fifth street. Amsterdam avenue to Eleventh avenue. Hastings Paving Company.

BRONX.

One Hundred and Fortieth street. Third avenue to Brook avenue. Atlantic Alcatraz Company.

Baretto street. One Hundred and Sixty-fifth street to Intervale avenue. C. W. Collins.

Union avenue. Westchester avenue to South Boulevard. Barber Asphalt Paving Company.

Mr. Moss—While waiting for a witness, I desire to offer in evidence a return made by the clerk of the court of general sessions to a subpoena which required him to produce a list of all convictions from January 1, 1898, for keeping houses of ill-fame, disorderly houses or assignation houses, gambling houses, pool rooms, policy shops, bucket shops, and lottery offices. I may say, while offering this, that it shows that since January 1, 1898, for all of that class of places, 128 convictions. In eight of those cases only was imprisonment imposed.

In twenty-five of those cases sentence was suspended.

In only eight of those cases were fines greater than $50 imposed.

In the balance of the cases the sentences were fines of $10, $25 and $50.

There were thirty-one convictions for keeping disorderly houses.

There were twenty-three convictions for keeping gambling houses.

There were three convictions for book making.

There were fifty-three for keeping policy shops.

There was one for keeping a pool room.

There was one for keeping a bucket shop.

The total, as I said, was 128 cases.

In eight there was imprisonment, in twenty-five the sentence was suspended; only eight were fined more than $50. The balance were fined from $10 to $50.

Mr. Hoffman—Have you a record from the district attorney's office showing the number of convictions for the same offenses in 1897?

Mr. Moss—I cannot get anything from the district attorney's office.

Mr. Hoffman—Could you get it from the office of the clerk of General Sessions, since January 1, 1897, to December 31, 1897, so that a comparison might be made?

Mr. Moss—I would like to get it if I can.

Mr. Hoffman—I would like to have it gotten to-day so that it can be offered at the same time.

Mr. Moss—It would hardly be a differing condition. The court was substantially the same.

Mr. Hoffman—We might draw some conclusion from a comparison.

(The following is a copy:)

Returns by the clerk of the Court of General Sessions to subpoena, sent October, 1899, requiring a list of all convictions from January 1, 1898, to keeping houses of ill-fame, disorderly houses, assignation houses, gambling houses, pool rooms, policy

shops, bucket shops and lottery offices, giving date of sentence, names of defendants, offense and judgments:

April 14, 1898, Clara Apisdorf, disorderly house, suspended; February 23, 1899, George Arnold, gambling house, fined $25; July 5, 1899, Charles Adams, bookmaking, fined $25; January 24, 1898, Bruno Bretschneider, house of ill-fame, penitentiary three months and fined $250; February 15, 1898, Selina Bevoit, house of ill-fame, fined $25; March 21, 1898, Wm. H. Bell, gaming house, fined $10; May 6, 1898, Lorraine Belmont, house of ill-fame, suspended; June 9, 1898, Mamies Brown, house of ill-fame, fined $25; February 24, 1899, Ignatz Berger, policy, county penitentiary one month, fined $250; April 10, 1899, Theo. A. Burnett, gaming house, fined $250; March 24, 1898, Bernard Columbus, gaming house, fined $10; March 24, 1898, Lena Cohen, house of ill-fame, fined $25; November 23, 1898, Thomas Connelly, policy, fined $25; December 14, 1898, Jos. Carberry, policy, fined $50; December 20, 1898, Wm. Clinton, policy, fined $50; February 21, 1899, Henry Crozier, gaming house, fined $25; May 5, 1899, James Collinci, gaming house, fined $25; May 9, Wm. A. Canfield, bookmaking, suspended; November 23, 1898, Wm. Daily, bookmaking, fined $25; November 23, 1898, James Daly, policy, fined $25; December 6, 1898, Mary Dressel, house of ill-fame, penitentiary three months; December 14, 1898, Wm. J. Delaney, policy, fined $50; December 23, 1898, John Donaldson, policy, fined $25; December 23, John Donaldson, policy, fined $50; May 2, 1899, James Doyle, policy, fined $25; November 23, 1898, John Egan, policy, fined $25; January 10, 1899, Thomas Edwards, pool selling, suspended; February 23, 1899, John E. Erickson, gaming house, fined $50; February 23, 1899, William Erickson, gaming house, fined $50; February 27, 1899, Charles Engels, gaming house, fined $25; March 18, 1898, Jennie Freedman, house of ill-fame, fined $25; March 23, 1898, Clara Freedman, house of ill-fame, fined $25; March 23, 1898, Clara Freedman, house of ill-fame, suspended; December 14, 1898, John Fallon, policy, fined $50;

December 14, 1898, Herman Frenzer, policy, fined $50; December 23, 1898, Alfred Foster, policy, suspended; January 23, 1899, Mary Fleming, gambling, fined $10; February 21, 1899, Selig Falk, gaming house, fined $25; March 1, 1899, Diedrich Ficken, gaming house, fined $25; May 5, 1899, Wm. Fisher, gaming house, fined $25; June 15, 1899, Morris Friedman, policy, fined $250; June 15, 1899, Leo Friedman, policy, fined $250; February 24, 1898, Cecelia Gibbs, house of ill-fame, suspended; March 17, 1898, Annie Goldberg, house of ill-fame, fined $100; March 17, 1898, Annie Goldberg, house of ill-fame, suspended; November 23, 1898, George Bray, policy, fined $25; December 15, 1898, Oscar Gricke, policy, fined $50; April 18, 1899, Joseph Griffin, policy, fined $25; December 14, 1898, Frank Hands, policy, fined $50; December 20, 1898, John Higgins, policy, fined $50; December 20, 1898, Rudolph Hennock, policy, fined $50; February 21, 1899, Frederick Heiker, gaming house, fined $25; February 24, 1899, Nathan Hirschfield, policy, fined $50; March 1, 1899, Henry Haaren, gaming house, fined $25; February 27, 1899, Tillie Hirschfield, policy, fined $25; May 2, 1899, Mary Hanks, gambling, suspended; June 16, 1899, Edward Hunt, policy, fined $250; May 8, 1899, Ivan Isenberg, selling lottery tickets, fined $25 November 22, 1898, Fannie Janiff, house of ill fame, penitentiary one year; November 23, 1898, Wm. Jones, policy, fined $25; January 27, 1899; Herman Jacobs, gambling, fined $10; February 27, 1899, Charlie Joe, policy, fined $250; February 17, 1898, Bridi Kenne, house of ill-fame, suspended; March 28, 1898, Frank Kopf, house of ill-fame, penitentiary one month; May 6, 1898, Otto Krefer, house of ill-fame, fined $25; November 23, 1898, James Kelly, policy, fined $25; December 23, 1898, Michael Kelly, policy, fined $50; February 24, 1899, Marks Klein, policy, fined $50; February 24, 1899, Jeremiah Keating, policy, fined $25; May 2, 1899, Leslie Knowles, gambling, suspended; June 5, 1899, Wm. Kehoe, gambling house, fined $25; December 16, 1898, Bertha Lurch, house of ill-fame, penitentiary six months; December 20, 1898, Michael Lester, policy, fined $50; April 23, 1898, Kate Lawrence, house of ill-fame, suspended; February 21, 1899, Max Levine, lottery

tickets, fined $50; April 27, 1899, Jacob J. Luger, gaming house, suspended; May 3, 1899, Joseph Levine, gaming house, fined $50; August 2, 1899, Timothy Larkin, gaming house, fined $25; April 18, 1899, Frank McManus, gaming house, fined $25; February 24, 1898, Sahar Marhoefer, house of ill-fame, fined $25; March 2, 1898, Joseph Magnus, house of ill-fame, county penitentiary sixty days; April 27, 1898, Florence Marvel, house of ill-fame, fined $25; November 23, 1898, John Murray, policy, fined $25; December 14, 1898, Joseph Mohan, policy, fined $50; December 16, 1898, Chas. Meyer, policy, fined $50; December 25, 1898, Wm. Morris, policy, fined $25; December 25, 1898, Wm. Morris, policy, fined $50; February 21, 1899, Daniel Mahlig, gaming house, suspended; February 24, 1899, John Meyer, gaming house, fined $25; March 17, 1899, Samuel H. Mendlesohn, gambling, fined $25; March 21, 1899, Thresa Mercurio, house of ill-fame, fined $25; April 18, 1899, John Murray, policy, fined $25; May 23, Timothy Moran, policy, penitentiary six months; May 23, 1899, Timothy Moran, policy, suspended; May 2, 1899, John Orderman, gaming house, fined $25; November 23, 1898, Frederick Piligard, policy, fined $25; April 10, 1899, John Putnam, gaming house, fined $10; May 25, 1899, Emma Parker, house of ill-fame, fined $100; December 23, 1898, John Rogers, policy, fined $50; January 18, 1899, Samuel Racheminlovitz, gambling, suspended; May 31, 1899, Mary Roby, house of ill-fame, suspended; February 10, 1898, Mary Stevens, house of ill-fame, suspended; May 20, 1898, Sarah Siegil, house of ill-fame, fined $25; November 22, 1898, Moses Schlessinger, lottery, fined $25; November 23, 1898, Ernest Schmidt, policy, fined $25; December 14, 1898, Frederick Smith, policy, fined $50; December 14, 1898, Leopold Schwartz, policy, fined $50; December 16, 1898, John Smith, policy, fined $50; Dec. 16, 1898, Jos. Stein, policy, fined $50; Dec. 20, John Sullivan, policy, fined $50; February 21, 1899, James Saul, policy, fined $50; March 10, 1899, Clara Stark, house of ill-fame, fined $25; April 20, 1899, Alphonzo Sterck, gambling, fined $50; May 3, 1899, Frederick Schwartz, lottery, fined $10; May 3, 1899,

Elizabeth Smith, house of ill-fame, suspended; May 31, 1899, Wm. Sommers, house of ill-fame, fined $50; May 31, 1899, Ludwig Schreiber, lottery, suspended; December 16, 1898, Andrew Turner, policy, fined $50; February 24, 1899, John H. Segels, gaming house, fined $25; June 30, 1898, John W. Woodruff, bucket shop, suspended; December 15, 1898, James Wilson, policy, fined $50; December 16, 1898, Charles Wilson, policy, fined $50; December 16, 1898, John Williams, policy, fined $50; January 31, 1899, Mary Wilson, house of ill-fame, suspended; June 22, 1899, James Walker, gaming house, suspended.

Mr. Moss—In connection with that I offer in evidence a return from the police department of the city of New York, showing the number of persons convicted in the various precincts for keeping disorderly houses, houses of assignation, or ill-fame, gambling houses, pool rooms, policy shops, bucket shops, lottery offices or violations of gambling laws. This is since January 1, 1899. This includes persons who were arrested for playing craps—gambling on the street.

The total number of convictions shown by the police department since January 1, 1899, is, for disorderly houses in the entire city, 52.

For gambling houses in the entire city, 19.

For pool rooms in the entire city this year, 4.

For policy shops in the entire city this year, 12.

For bucket shops, none.

For lottery offices, 4.

For violation of gambling laws, including the gamblers themselves, 167.

There appear to be none at all in this list of cases from the detective bureaus, either in Brooklyn or Manhattan.

The following is a copy:

POLICE DEPARTMENT OF THE CITY OF NEW YORK,
OFFICE OF CHIEF OF POLICE,
300 MULBERRY STREET,

(Manhattan and Bronx.) NEW YORK, *October* 30, 1899.

The following is a list showing the number of persons convicted in the various precincts for keeping disorderly houses, houses of assignation or ill-fame, gambling houses, pool rooms, policy shops, bucket shops, lottery offices or violation of gambling laws since January 1, 1899:

PRECINCT.	Keeping disorderly houses, houses of assignation, or ill-fame.	Gambling houses.	Pool rooms.	Policy shops.	Bucket shops.	Lottery offices.	Violation of gambling laws.
1st	0	0	0	0	0	0	0
2d	0	0	0	0	0	0	0
3d	0	0	0	0	0	0	0
4th	0	0	0	0	0	0	0
5th	0	0	0	0	0	0	0
6th	0	0	0	1	0	2	17
7th	0	0	0	0	0	0	0
8th	0	0	0	0	0	0	0
9th	0	0	0	0	0	0	0
10th	0	0	0	0	0	0	0
11th	0	2	0	1	0	0	0
12th	1	0	0	0	0	0	5
13th	0	0	0	0	0	0	0
14th	0	0	0	0	0	0	0
15th	0	0	0	0	0	0	0
16th	1	1	0	0	0	0	0
17th	7	0	0	0	0	0	0
18th	2	0	0	0	0	0	0
19th	5	0	0	0	0	0	0

PRECINCT.	Keeping disorderly houses, houses of assignation, or ill-fame.	Gambling houses.	Pool rooms.	Policy shops.	Bucket shops.	Lottery offices.	Violation of gambling laws.
20th	12	0	1	0	0	0	1
21st	1	1	3	1	0	0	0
22d	1	0	0	0	0	0	0
23d	0	0	0	0	0	0	0
24th	0	0	0	0	0	0	0
25th	0	1	0	0	0	0	0
26th	0	0	0	0	0	0	0
27th	0	0	0	0	0	0	0
28th	0	0	0	0	0	0	0
29th	3	0	0	0	0	0	7
30th	0	0	0	0	0	0	0
31st	0	0	0	0	0	0	0
32d	1	0	0	0	0	0	0
33d	0	0	0	0	0	0	0
34th	0	0	0	0	0	0	0
35th	0	0	0	0	0	0	0
36th	0	0	0	0	0	0	0
37th	0	0	0	0	0	0	0
38th	0	0	0	0	0	0	0
39th	0	0	0	0	0	0	0
40th	0	0	0	0	0	0	0
41st	0	0	0	0	0	1	0
42d	0	0	0	0	0	0	0
Total	36	5	4	4	0	3	30

BROOKLYN.

PRECINCT.	Keeping disorderly houses, houses of assignation, or ill-fame.	Gambling houses.	Pool rooms.	Policy shops.	Bucket shops.	Lottery offices.	Violation of gambling laws.
43d	0	0	0	0	0	0	0
44th	0	2	0	0	0	0	0
45th	1	4	0	0	0	0	0
46th	0	1	0	0	0	0	0
47th	0	0	0	0	0	0	0
48th	0	0	0	0	0	0	0
49th	2	1	0	0	0	0	0
50th	0	0	0	1	0	0	0
51st	0	0	0	0	0	0	10
52d	0	0	0	0	0	0	0
53d	0	0	0	0	0	0	0
54th	0	0	0	0	0	0	1
55th	0	0	0	0	0	0	0
56th	2	1	0	0	0	0	0
57th	4	0	0	0	0	0	2
58th	0	0	0	0	0	0	0
59th	3	0	0	0	0	0	0
60th	0	0	0	0	0	0	0
61st	0	5	0	1	0	0	0
62d	0	0	0	0	0	0	0
63d	1	0	0	0	0	0	0
64th	0	0	0	0	0	0	30
65th	0	0	0	5	0	0	0
66th	0	0	0	0	0	0	3
67th	0	0	0	0	0	0	0
68th	0	0	0	0	0	0	0
69th	1	0	0	0	0	0	14
70th	0	0	0	0	0	0	0

PRECINCT.	Keeping disorderly houses, houses of assignation, or ill fame.	Gambling houses.	Pool rooms.	Policy shops.	Bucket shops.	Lottery offices.	Violation of gambling laws.
71st	0	0	0	0	0	0	0
72d	0	0	0	0	0	0	0
73d	0	0	0	0	0	0	0
10th district	0	0	0	0	0	0	2
Total	14	14	0	7	0	0	121
QUEENS.							
74th	0	0	0	0	0	0	0
75th	1	0	0	0	0	0	0
76th	0	0	0	0	0	0	0
77th	0	0	0	0	0	0	0
78th	0	0	0	0	0	0	0
79th	0	0	0	0	0	0	0
Total	1	0	0	0	0	0	0
RICHMOND.							
80th	0	0	0	0	0	0	0
C. O. Squad	0	0	0	0	0	0	0
T. H. Squad	0	0	0	0	0	0	0
H. of D	0	0	0	0	0	0	0
Boiler Squad	0	0	0	0	0	0	0
Bicycle Squad	0	0	0	0	0	0	0
Detective Bureau	0	0	0	0	0	0	0
Criminal Court	1	0	0	0	0	0	1
2d Court	0	0	0	0	0	0	1
3d Court	0	0	0	0	0	1	0

PRECINCT.	Keeping disorderly houses, houses of assignation, or ill-fame	Gambling houses.	Pool rooms.	Policy shops.	Bucket shops	Lottery offices.	Violation of gambling laws.
4th Court.....	0	0	0	1	0	0	0
5th Court.....	0	0	0	0	0	0	0
6th Court.....	0	0	0	0	0	0	0
7th Court.....	0	0	0	0	0	0	0
River Front Squad or 81st Precinct.	0	0	0	0	0	0	5
Total for Squads	1	0	0	1	0	1	16
Total for precincts ...	36	5	4	4	0	3	30
Total for Manhattan and Bronx..	37	5	4	5	0	4	46
Brooklyn	14	14	0	7	0	0	121
Queens	1	0	0	0	0	0	0
Richmond	0	0	0	0	0	0	0
Grand total...	52	19	4	12	0	4	167

Mr. Moss—I offer also a return from the property clerk, dated July 27th. It is the headquarters record of all the raids on gambling houses, pool rooms, policy shops, lottery offices, bucket shops where the police were successful enough to capture gambling implements. It includes even dice and playing cards.

This shows that from January 1, 1898, to July 31, 1899, there were of these raids where property was captured, 367.

Three hundred and five of those cases have arrests made in them. The balance were cases where nobody was found, but property was discovered.

In the whole period there were only three important raids on gambling houses, and the return shows that nothing resulted in either of those cases.

Those important raids I will read:

December 2, No. 6 West Twenty-eighth street. Captain Price. No arrest. Goods delivered to the sheriff by replevin.

December 16, tables and chairs taken from 141 West Forty-first street. Captain Price. No arrest. Goods delivered to the sheriff on replevin.

December 5, tables, cards and chips taken from 104 West Forty-third street. Goods delivered to the sheriff on replevin.

There were, then, only three cases of entire houses, and no results in those cases.

In 16 of those 367 cases were there convictions, with punishments as follows:

One defendant sent to Elmira.

One sent to the Juvenile Asylum.

One sentence suspended.

Thirteen fined in the aggregate amount of $135.

One hundred and sixty-four defendants were discharged.

One hundred and eighteen defendants have not been disposed of.

Mr. Hoffman—What are the offenses charged there?

Mr. Moss—All kinds of gambling. Raids where property was seized and turned over to the property clerk.

Mr. Hoffman—You know some of those cases go to the Special Sessions.

Mr. Moss—This is from the police department.

Mr. Hoffman—That covers everything?

Mr. Moss—It covers everything—General Sessions and Special Sessions. Did you notice, Mr. Hoffman, as I was reading, that there were 367 of these cases where property was seized? In only 16 of those cases were there convictions. In those convictions the sentences were:

One defendant sent to Elmira Reformatory, one to the Juvenile Asylum—he must have been a little fellow; and one case where sentence was suspended; while the balance were fined in the aggregate of $135.

Out of 367 cases the sum total of results was one man sent to the Reformatory, one boy sent to the Juvenile Asylum, one fellow's sentence suspended, and 13 fined $135.

The following is a copy:

This is a Headquarters record of all the raids on gambling houses, pool rooms, policy shops, lottery offices, bucket shops, where the police were successful enough to capture gambling implements. It includes even dice and playing cards.

"Dis" means prisoner discharged.

"None" means case not finished.

If the property was destroyed the fact is stated in the body of the entry.

POLICE DEPARTMENT OF THE CITY OF NEW YORK, 300 MULBERRY STREET.

OFFICE OF PROPERTY CLERK,

NEW YORK, *July* 27, 1899.

FRANK MOSS, Esq., 98-99 *Nassau Street, New York City:*

Dear Sir—In compliance with your request of the 22d inst., I herewith furnish list of gambling property turned over to this office since January 1, 1898, and of its destination or other disposition.

Very respectfully,

JOHN T. HARRIOT,

Property Clerk.

1898.

35573 Policy—January 3, policy material from 321 9th ave.; Officer Schoenick, 20th..... None

35613 Gambling—Januay 8, playing cards from 107 W. 25th st.; Officers Quinn and Smith, 19th; John Ocader, arrested ..... Dis.

35616 Slot machine—January 10, slot machine from 422 Greenwich st.; Officer Ackerman, 5th; B. McManus, arrested ..... Dis.

35621 Gambling—January 10, playing cards from No. 20 2d ave.; Officer Bissett, 14th; Henry Jacobs, arrested ..... Dis.

35627 Gambling—January 10, chips from 245 W. 40th st.; Officers Boyle and Mason, 20th; Miles Webb, arrested ..... None

35629 Policy—January 10, policy from 1441 Ave. A; Officer E. R. Collier, 25th; Emil Lutz, arrested..... Dis.

35630 January 11, dice in street; Officer J. H. Holton, 80th. (No arrest).

35640 Gambling—January 11, playing cards, from 195 Delancey st.; Officer James Murray, 12th; Max Hellar, arrested ..... Dis.

35653 Gambling—January 13, wheel of fortune, from 15 Norfolk st.; Chas. Nell, officer, 11th; Dora Fulman, arrested ..... None

35668 Gambling—January 14, playing cards from 76 Allen st.; Officer Kinsler, 11th; James Cohen and others, arrested ..... Dis.

35680 Bucket shop—January 15, books and papers from 53 New st.; Officer Hughes, D. B.; Samuel Perser and others arrested ..... None

35681 Bucket shop—January 15, hand stamp and papers from 53 New st.; Officer Hughes, D. B.; Frank Wallace, prisoner ..... None

35682 Bucket shop—January 15, books and papers from 51 New st.; Officer Rein, D. B.; Carl Mercer, arrested None

35683 Bucket shop—January 15, books and papers from 51 New st.; Officer Waldron; D. B., J. C. Thorn and others arrested ..... None

35699 Gambling—January 17, cards, dice and dice box from 304 W. 38th st.; Officer Boyle, 20th; Anderson Reilly arrested..... None

35703 Policy—January 17, policy material from 161 Chrystie st.; Officer Murtha, 11th; G. Graft, arrested ..... None

35722 Policy—January 21, policy materials from 256 Delancey st.; Officer P. Purfield, 12th; Otto Pélcer, arrested ..... None

35742 January 24, dice from Central Park; Officer Mc Byrne, 27th. (No arrest).

35776 Slot machine—January 26, slot machine from 38 John st.; Officers Farley and O'Neill, 1st; Jacob Muller, arrested ..... Dis.

35788 Gambling—January 27, gambling material, 4 Doyers st.; Officer J. W. Finn, 6th; Kin Yet, arrested..... Dis.

35789 Policy—January 27, policy from 153 Ludlow st.; B. A. Leonard, 11th; L. Berger, arrested..... Dis.

35790 Policy—February 1, policy from 513 W. 27th st.; Officer Baxter, 16th; F. Smith, arrested..... Dis.

35825 Gambling—February 2, cards and chips from Amsterdam Club, 3 Boulevard; Officer Wm. Maher, 24th. (No arrest).

35834 Gambling—February 3, cards from 310 East Houston st.; Officer Schendler, 1st Insp. Dist.; J. Spelberger, arrested ..... None

35836 Pool room—February 3, books, telegraph instrument and charter from 292 Bowery; Captain Chapman, 15th. (No arrest).

35878 Gambling—February 8, cards from 137 E. Broadway; Officer McDonough, 1st Insp. Dist.; B. Peff, arrested ..... Dis.

35887 Gambling—February 9, gambling material, 3 Doyers st.; Officer Finn, 6th; Ken Yet, arrested..... Dis.

35896 Gambling—February 9, dice, 146 Pearl st.; Officer O'Neill, 1st; B. J. Eggers, arrested..... Dis.

35904 February 10, cards from ———; Officer Bissett, 14th; Anton Frohlich, arrested..... None

35928 Februry 14, dice in street; Officer Duggan, 15th. (No arrest).

35945 Slot machine—February 15, slot machines from Richmond Terrace, S. I.; Officer Lyvre, 80th; J. Batilone, arrested ..... Dis.

35946 Slot machine—February 15, slot machines from Richmond Terrace; Officer Mauley, 80th; M. Flanery, arrested ..... Dis.

35947 Slot machine—February 15, slot machine from Stapleton, S. I.; Roundsman Wilson, 80th; De Graff, arrested ..... Dis.

35949 Slot machine—February 15, slot machine from Stapleton, S. I.; Roundsman Wilson, 80th; Mary Beasley, arrested ..... Dis.

35954 Slot machine—February 15, slot machines from Tottenville, S. I.; Officer Heath, 80th; Wm. O'Brien, arrested ..... Dis.

35955 Slot machine—February 15, slot machine from Tottenville, S. I.; Officer Kilmeyer, 80th; John Kall, arrested ..... Dis.

35965 Slot machine—February 16, slot machine from 649 3d ave.; Officer Kniernan, 21st; Chas. Donohue, arrested ..... Dis.

35966 Slot machine—February 16, slot machine from 233 E. 28th st.; Officer Kniernan, 21st; John O'Brien, arrested ..... Dis.

35983 Policy—February 17, policy from 338 8th ave.; Officer Broderick, 7th Ct.; Wm. Clinton, arrested.... None

35984 Policy—February 17, policy from 211 W. 28th; Officer Broderick, 7th Ct.; G. Brown, arrested..... None

35987 Gambling—February 17, cards and chips from 122 Canal st.; Officer Leonard, 11th; Morris Levy, arrested . . . . . Dis.

36002 Policy—February 13, policy from 42 Amsterdam ave,; Officer Daggett, 24th. (No arrest.)

36021 Policy—February 21, policy 490 6th ave.; Officer Quinn, 19th; D. Williams, arrested . . . . . Dis.

36033 Gambling—February 23, cards from 158 E. Houston st.; Officer Larkin, 14th; John Freitag, arrested . . None

36035 Slot machine—February 23, slot machines from 603 Broadway; Officer Carter, 8th; Michael Cohen, arrested . . . . . Dis.

36046 Slot machine—February 24, slot machine from 1653 1st ave.; Officer Higgins, 22d; Chas. Wagner, arrested . . . . . Dis.

36048 Slot machine—February 24, slot machine from 714 2d ave.; Officer Sahulka, 21st; A. Reiger, arrested. Dis.

36068 Gambling—February 28, cards, 175 Orchard st.; Officer J. E. Burke, 11th; Wm. Bretooety, arrested . . . . . Dis.

36071 Policy—February 28, policy, 306 E. Houston st.; Officer Clifford, 13th; Chas. Storke, arrested. . . . Dis.

36076 Pool room—March 1, hand bag and tel. material from 419 6th ave.; Officer Armstrong, D. B.; Wm. Oakley and others arrested . . . . . Dis.

36098 Policy—March 4, policy, 267 Elizabeth st.; Officer E. O'Connor, 1st Ct.; Geo. Murphy and others, arrested . . . . . None

36105 Policy—March 4, policy from 501 W. 25th st.; Officer Edsall, 16th; P. Casey, arrested . . . . . Dis.

36108 Gambling—March 5, cards, chips and envelopes from 213 W. 61st; Officer Maher, 24th; Louis Stone, arrested . . . . . None

36112 Policy—March 7, policy from 522 W. 27th st.; Officer Edsall, 16th; John Egan, arrested . . . . . None

36128 Gambling—March 8, cards from 149 Ludlow st.; Officer Popp 11th; Jennie Stein, arrested..... Dis.

36136 Slot machine—March 9, slot machine from 204 Church st.; Officer Sheridan, 5th; Fred. Oberst, arrested ..... None

36141 Gambling—March 9, desk and gambling material from 61 Beekman st.; Officer Hahn, 4th. (No arrest.)

36150 Slot machine—March 11, slot machines from 406 E. 34th st.; Officer Sahulka, 21st; Louis Blanchard, arrested ..... Dis.

36152 Slot machine—March 11, slot machine from 461 4th ave.; Officer Sahulka, 21st; John Gray, arrested.. Dis.

36169 ————March 14, dice from street; Officer Holton, 80th. (No arrest.)

36170 ————March 14, dice from street; Officer King, 80th. (No arrest.)

36180 Policy—March 14, policy from 1906 Park ave.; Officer Stebbins, 5th Dist.; Geo. Slawson, arrested.. Dis.

36190 Slot machine—March 15, slot machine from 180 11th ave.; Officer J. J. Mahoney, 16th; Wm. F. Hinken, arrested ..... None

36191 Slot machine—March 15, slot machine from 245 8th ave.; Officer Schum, 16th; J. J. Long, arrested... Dis.

36192 Slot machine—March 15, slot machine from 276 10th ave.; Officer P. Devine, 16th; Jas. Brady, arrested. Dis.

36205 Gambling—March 16, dice from 1122 1st ave.; Officer Baar, 25th; A. Callina, arrested..... None

36208 Policy—March 16, policy from 6½ Cornelia st.; Officer Watt, 2d Insp. Dist.; Jas. Rogers, arrested.. None

36214 Slot machine—March 17, slot machine from Maspeth, L. I.; Officer Conners, ——; J. Buckwedde, arrested ..... Dis.

36215 Slot machine—March 17, slot machine, Maspeth, L. I.; Officer Conners, ——; John Webber, arrested ..... Dis.

36216 Slot machine—March 17, slot machine, Maspeth, L. I.; Officer Conners, ——; A. Kaszlienski, arrested . . . . . Dis.

36217 Slot machine—March 17, slot machine from Flushing, L. I.; Officer Conners, ——; L. Sussner, arrested . . . . . Dis.

36238 Slot machine—March 21, slot machine from 545 3d ave.; Officer Sahulka, 21st; G. Watson, arrested. Dis.

36257 Gambling—March 22, cards from 7 Rivington st.; Officer Nell, 11th; John B. Triob, arrested . . . . . Dis.

36259 Slot machine—March 22, slot machine from 158 Stanton st.; Officer Young, 11th; N. Weiss, arrested . . . . . Dis.

36261 Slot machine—March 22, slot machine from 96 Delancey st.; Officer Burns, 11th; Isaac Hirschfield, arrested . . . . . Dis.

36264 Slot machine—March 22, slot machine from 32 Delancey st.; Officer Cohen, 11th; Wm. Luporwoitz, arrested . . . . . Dis.

36271 Policy—March 23, policy from 317 E. 60th st.; Officers Kerr and Griffin, 25th; H. Smith, arrested . . None

36273 Slot machine—March 23, slot machine from 145 Suffolk st.; Officer Young, 11th; Max Herbst, arrested . . . . . Dis.

36284 Bucket shop—March 24, books, etc., from 51 New st.; Officer Mallon, C. O.; N. Halligan, arrested (and goods delivered on court order March 28, 1898) . . . . . Dis.

36285 Slot machine—March 24, slot machine from 50 Delancey st.; Officer Hearle, 11th; I. Simskovitz, arrested . . . . . Dis.

36287 Slot machine—March 24, slot machine from 416 3d ave.; Officer Sahulka, 21st; E. Gonoud, arrested. Dis.

36295 Slot machne—March 25, slot machine from 282 7th ave.; Officer Shepard, 16th; B. McGarry, arrested, and machine destroyed by order of commissioners $10

36296 Slot machine—March 25, slot machine from 216 7th ave.; Officer Shepard, 16th; Geo. W. Quinlan, arrested ..... None

36300 Slot machine—March 28, slot machine from 34 W. 125th st.; Officer Meehan, 29th; Wm. H. Hoffman, arrested, machine destroyed by commissioners.. Dis.

36301 Gambling—March 28, books, papers, etc., from 1822 Park ave.; Officer Murphy, C. O.; F. W. Hatch, arrested, goods delivered on court order.

36316 Gambling—March 29, dice from 137 W. 26th st.; Officer Eswald, 19th; Scott and others arrested.. Dis.

36325 Policy—March 30, policy from 328 Delancey st.; Officer Hashlinger, 3d Ct.; J. Carberry, arrested..... None

36334 Policy—March 31, policy, etc., from 245 E. 127th st.; Officer Allen, 5th Ct. (No arrest.)

36335 Policy—March 31, policy from 309 E. 125th st.; Officer J. J. McCann, 5th Ct.; J. Stein, arrested..... None

36336 Policy—March 31, policy from 345 E. 122d st.; Officer O'Grady, 5th Ct.; A. Turner, arrested..... None

36344 Gambling—April 1, cards from 132 Hester st.; Officer Burns, 11th precinct; H. Stamberg, arrested.. $3 00

36346 Policy—April 1, policy from 48 Rose st.; Officer Farrington, 1st Ct.; H. Fruger, arrested..... None

36349 Slot machine—April 1, slot machine from 214 East 59th st.; Officer Phillips, 23d; H. Evans, arrested.. Dis.

36351 Policy—April 1, policy from 9 Hamilton st.; Officer Haslinger, 3d Ct.; John Fallon, arrested..... None

36356 Policy—April 2, policy from 113 West 25th st.; Officer Quinn, 19th; George Williams, arrested..... Dis.

36381 Policy—April 7, policy from 309 East 125th st.; Officer Stebbins, 5th Dist.; S. Morris, arrested..... None

36383 Slot machine—April 7, slot machine from 356 Tenth ave.; Officer Boyle, 20th; John Donnelly, arrested. None

36384 Slot machine—April 7, slot machine from 260 W. 41st st.; Officer W. Maxen, 20th; William Brudi, arrested ..... None

36385 Slot machine—April 7, slot machine from 336 West 37th st.; Officer George Schoenich, 20th; H. Oilegebschlager, arrested ..... Dis.

36386 Slot machine—April 7, slot machine from 642 Second ave.; Officer Sahulka, 21st precinct; James McLaughlin, arrested ..... Dis.

36405 Slot machine—April 11, slot machine from 108 West 18th st.; Officer Quinn, 19th; J. McKay, arrested.. Dis.

36410 Gambling—April 11, dice from 164 East 48th st.; Officer Peck, 23d; R. Palmer, arrested..... Dis.

36427 Slot machine—April 12, slot machine from 796 3d ave.; Officer Collins, 23d. (No arrest.)

36428 Slot machine—April 12, slot machine from 147 E. 53d st.; Officer Collins, 23d. (No arrest.)

36429 Policy—April 12, policy from 2353 1st ave.; Officer Powers, 29th; Geo. Adams, arrested..... None

36435 Policy—April 13, policy material from 1025 1st ave.; Officer Schroeder, 4th; Wm. Delaney, arrested... None

36448 Gambling—April 14, gambling material from 61 Bond st.; Capt. Chapman, 15th. (No arrest.)

36452 Slot machine—April 15, slot machine from 2262 3d ave.; Officer Darcy, 29th; M. Abraham, arrested.. Dis.

36453 Slot machine—April 15, slot machine from 2282 2d ave.; Officer E. Hallahan, 29th; J. Klee arrested. Dis.

36454 Slot machine—April 15, slot machine from 123d st. and 2d ave.; Rds. Devery, 29th; O. Freedman, arrested ..... Dis.

36455 Slot machine—April 15, slot machine from 2150 5th ave; Officer L. Heiman, 29th; H. Keiling, arrested. None

36456 Slot machine—April 15, slot machine from 2453 2d ave.; Officer H. A. Reger, 29th; Geo. Gottleman, arrested ..... None

36459 Slot machine—April 15, slot machine from 76 Allen st.; Officer Nell, 11th; J. Cohen, arrested..... Dis.

36463 Slot machine—April 15, slot machine from Richmond Turnpike; Officer Smith, 80th; C. Davies, arrested ..... Dis.

36476 Slot machine—April 16, slot machine from 54 Grove ave., S. I.; Officer Lake, 80th; J. Herman, arrested ..... None

36477 Slot machine—April 16, slot machine from New Brighton, S. I.; Officer Smith, 80th; John Ford, arrested ..... None

36478 Slot machine—April 16, slot machine from 86 Columbia st.; New Brighton; Officer Lake, 80th; W. B. Dowling, arrested..... None

36479 Slot machine—April 16, slot machine from Richmond Terrace, S. I.; Officer Smith, 80th; H. E. Clark, arrested ..... None

36482 Gambling—April 18, cards from 106 2d ave.; Officer Bissert, 14th; Max Krous, arrested..... None

36496 Slot machine—April 19, slot machine from 333 W. 17th st.; Officer Sheppard, 16th; J. Korzindorfer, arrested ..... None

36497 Gambling—April 19, memorandum books and cards from 71 Forsythe st.; Officer Popp, 11th; A. Martin, arrested, Elmira reformatory.

36501 Slot machine—April 19, slot machine from 313 Pearl st.; Officer Armstrong, 4th; C. Rutz, arrested ..... Dis.

36502 Slot machine—April 19, slot machine from 202 South st.; Officer Armstrong, 4th; Wm. Lamkem, arrested ..... Dis.

36503 Slot machine—April 19, slot machine from 182 William st.; Officer Allen, 4th; Max Wenke, arrested ..... Dis.

36504 Slot machine—April 19, slot machine from 240 William st.; Officer Hahn; George Kilkelman arrested ..... Dis.

36507 April 19th, dice from street; Officer Kelleher, 30th. No arrest.

36520 Slot machine—April 20, slot machine from 120 Cherry st.; Officer Shea, 7th; S. J. Freeman, arrested. Destroyed by order of commissioners.

36527 Slot machine—April 21, slot machine from 1245 Park av.; Officer Grey, 28th; M. Mullin, arrested. Goods destroyed by order board of commissioners.

36528 Pool room—April 22, pool room material from 15 Cortlandt st.; Officer McMullen, 18th; Ed Lawrence, arrested ..... None

36544 Gambling—April 25, cards and brass checks from 121 E. Broadway; Officer Mooney, 7th; Isaac Siegel, arrested ..... Dis.

36545 Policy—April 25, policy from 23 Hamilton st.; Officer George V. Creede, 1st dist.; John Garrison, arrested ..... Dis.

36546 Slot machine—April 25, slot machine from 116 8th av.; Officer Sheppard, 16th; Charles Traynor, arrested ..... None

36548 Slot machine—April 25, slot machine from 1221 Park av.; Officer Higgins, 27th; H. Muller, arrested ..... Dis.

32549 Slot machine—April 25, slot machine from 1584 2d av.; Officer Abrams, 27th; M. M. O'Malley, arrested ..... Dis.

36564 Policy—April 27th, policy from 256 Delancey st.; Officer J. Keane, 1st district; N. Strauss, arrested ..... Dis.

36637 Pool room—May 6, pool room material from 52 E. 41st st.; Inspector Brooke, 4th district; J. Edwards and others, arrested..... None

36639 May 6, dice in street; Officer Hunt, 6th; no arrest.

36641 Lottery—May 6th; lottery tickets from 106 W. 14th st.; Officer Sahulka, 21st; A. Schwab, arrested.. None

36645 Policy—May 7, policy from 342 E. 76th st.; Officer Collins, 25th; T. Seymour, arrested..... Dis.

36646 Slot machine—May 7, slot machine from 417 E. 112th st.; Officer Gray, 29th; R. Baslone, arested. Destroyed by order of commissioners.

36660 Gambling—May 9, cards from 76 Essex st.; Officer Burke, 11th; D. Abrams and others arrested and fined $5 each..... $5 00

36697 Gambling—May 14, cards and chips from 339 8th av.; Officer Devine, 17th; A. Weisberger, arrested ..... Dis.

36700 Slot machine—May 16, slot machine from 35th st. and 3d ave.; Officer Fitzpatrick, 21st; John Collins, arrested ..... Dis.

36888 June 6, dice in street; Officer King, 80th; no arrest.

36904 Slot machine—June 8, slot machine from 637 1st ave.; Officer Thmpson, 21st; M. Deningean, arrarrested. Machine destroyed by order of commissioners ..... Dis.

36917 Slot machine—June 10, slot machine from 2184 3d av., Officer Hallahan, 32d; D. Melhauser, arrested. Machine destroyed by order of commissioners... Dis.

36921 Slot machine—June 10, slot machine from 587 1st ave.; Officer Thompson, 21st; T. Abramson, arrested ..... Dis.

36926 Slot machine—June 11, slot machine from 221 Lexington ave.; Officer Schindler, 21st; R. McDonald, arrested. Machine delivered by order of court July 7, 1898.

36931 June 13, dice from street; Roundsman Greisel. (No arrest.)

36974 Gambling—June 16, cards, chips, etc., from Detective Vallely, D. B.; Wm. Mundrick, arrested.... None

36977 Slot machine—June 16, slot machine from 387 4th ave.; Officer Sahulka, 21st; H. Crosier, arrested.. None

36983 Slot machine—June 17, slot machine from 161 11th ave.; Officer Schum, 17th; J. Schaffer, arrested.. Dis.

37003 Gambling—June 20, cards and chips from 59th st. and Boulevard; Captain Price, 26th. (No arrest.)

37013 Slot machine—June 21, slot machine from 874 Elton ave.; Officer Pierson, 36th; M. Jones, arrested... None

37052 Slot machine—June 24, slot machine from 58 Whitehall st.; Officer Farrington, 1st Ct.; E. A. Joiner, arrested ..... Dis.

37053 Slot machine—June 24, slot machine from 55 Whitehall st.; Officer O'Connor, 1st Ct.; John Tegeler, arrested ..... None

37061 Slot machine—June 27, slot machine from 135 Pearl st.; Officer Turley and others, 1st; E. Worbad arrested ..... None

37062 Slot machine—June 27, slot machine from 507 3d ave.; Officer Kiernan, 21st; D. Maston, arrested.. Dis.

37069 Slot machine—June 27, slot machine from 995 8th ave.; Officer Curry and others, 22d; M. Untrian arrested ..... Dis.

37076 Slot machine—June 27, slot machine from 61 Centre st ; Officer Finn, 6th; J. Thompson, arrested .... None

37084 Gambling—June 28, dice from Stapleton, S. I.; Officer McCormack, 80th; R. Butler, arrested..... None

37085 Slot machine—June 28, slot machine from 946 Boulevard; Officer Enright, 30th. (No arrest.)

37089 Slot machine—June 23, slot machine from 107 Willis ave.; Officer O'Neil, 35th. (No. arrest.)

37090 Slot machine—June 28, slot machine from 820 3d ave.; Officer Boyle, 24th; J. Loonan, arrested.... Dis.

37093 Slot machine—June 28, slot machine from Pelham & Arthur aves.; Officer Pierce, 37th. (No arrest.)

37094 Gambling—June 28, dice and cards from 152 E. 49th st.; Officer Wm. Godley, 24th; J. Turron, arrested. None

37098 Slot machine—June 28, slot machine from 2199 5th ave.; Officer Hallahan, 32d; E. Mullhall, arrested. Dis.

37102 Slot machine—June 29, slot machine from 127 Beekman st.; Officer Cunningham, 5th; Wm. Wick, arrested ..... None

37110 Slot machine—June 30, slot machine from 109 9th ave.; Officer Cavanaugh, 17; Thos. Dennse, arrested ..... Dis.

37111 Slot machine—June 30, slot machine from 3975 3d ave.; Officer Pierce, 37th; Geo. Vondroan, arrested None

37117 Slot machine—June 30, slot machine, 70 2d ave.; Officer Quinlan, 15th. (No arrest.)

37189 Slot machine—July 7, slot machine from 731 2d ave.; Officer Thompson, 21st; N. L. Little, arrested.... Dis.

37219 Slot machine—July 11, slot machine from 100 1st ave.; Officer Kiehl and others, 15th. (No arrest.)

37223 Slot machine—July 11, slot machine from 12 Jefferson st.; Officer Keally, 7th; M. Walker, arrested. Destroyed by order of the Commissioners.

37259 Slot machine—July 13, slot machine from 537 1st ave.; Officer Sahulka, 21st; H. Landwehr, arrested ..... Dis.

37274 Slot machine—July 16, slot machine from 1185 Broadway; Officer Schultz, 19th. (No arrest.)

37275 Slot machine—July 16, slot machine from 58 W. 18th st.; Ins. Thompson, 4th Dist. (No arrest.)

37286 Gambling—July 18, table, chairs and dice from 118 W. 31st; Officer Meehan, 19th; J. Jackson, arrested ..... Dis.

37294 Slot machine—July 19, slot machine from 126 Division st.; Officer Leonard, 12th; L. Cleper, arrested. Dis.

37296 Slot machine—July 19, slot machine from 122 Chrystie st.; Officer Leonard, 12th; D. Bernstein, arrested ..... Dis.

37298 Slot machine—July 19, slot machine from 321 Broome st.; Officer Burke, 12th; J. Fiskin, arrested ..... Dis.

37200 Gambling—July 19, cards from 100 Delancey st.; Officer Gilligan, 12th; J. Cohen and others arrested. $5 each

37305 Slot machine—July 19, slot machine from 68 ave C.; Officer McGovern, 3d Ct.; S. Falk, arrested..... None

37312 Slot machine—July 19, slot machines from 14 Beekman st.; Officer Summers, 1st Ct.; S. H. Mendelsohn, arrested ..... None

37330 Slot machine—July 22, three slot machines from 112 Read st.; Officer Farrington, 1st Ct.; Fred. Heilkoe ..... None

37328 Slot machine—July 22, two slot machines and checks, 147 W. Broadway; Officer E. E. Evans, 1st Court; Charles Englers, arrested..... None

37332 Slot machine—July 22d, two slot machines and checks from 105 W. Broadway; Officer E. O'Connor, 1st Ct.; H. Harrem, arrested..... None

37350 Slot machine—July 22d, two slot machines from 308 Church st.; Officer P. Crowe, 2d Insp. Dist.; John Behrens, arrested ..... None

37361 Slot machine—July 23d, slot machine from Ave. C and 3d st.; Officer McCormack, 14th; Tobe Sattler, arrested ..... None

37363 July 24, two dice from street; Officer John W. Romer, 80th. (No arrest.)

37389 Slot machine—July 26th, slot machine from 868 Union ave.; Officer Moynihan. (No arrest.)

37391 Slot machine—July 26th, two slot machines from 432 W. 13th st.; Officer Colby, 9th; John H. Burns, arrested. Machine destroyed by order of commissions ..... Dis.

37392 Slot machine—July 26th, two slot machines from 860 Washingon st.; Officer Colby, 9th; Henry Meyers, arrested. Machine destroyed by order of commissioners ..... Dis.

37393 Slot machine—July 27th, slot machine from 2 11th ave.; Officer Charles Baxter, 17th; J. Burns, arrested ..... Dis.

37400 Slot machine—July 27th, slot machine from 480 8th ave.; Officer Hugh Gorman, 20th; John Ryan, arrested ..... Dis.

37403 Policy—July 27th, policy material from 207 E. 97th; Officer R. Gray, 29th; Wm. Fisher, arrested ..... Dis.

37415 July 28th, bogus tickets, Far Rockaway; Officer Coughlin, 79th; E. Froahm and others arrested... Dis.

37438 Policy—August 2d, policy from 1980 2d ave; Officer C. O'Brien, 29th; John Smith, arrested..... Dis.

37435 Slot machine—August 8th, slot machine from 399 Richmond Terrace; Officer John Smith, 80th; E. Van Dam, arrested..... Dis.

37522 August 15th, two dice from street; Officer Loughran, 29th. (No arrest.)

37532 Gambling—August 17th, cards and chips from 6th ave.; Officer Henderson, 19th; E. Pierre, arrested. None

37581 Gambling—August 23, dice, boxes and cloth; Officer Wm. Devine, 17th; Thomas Courtley, arrested. Fined, $10.

37598 August 26th, two dice from Central Park; Officer J. G. Dillan, 27th; James Shaw, arrested. Sent to Juvenile Asylum.

37625 Slot machine—August 31, three slot machines from 390 Amsterdam ave.; Officer Maher, 26th; G. H. Davis, arrested ..... None

37722 Slot machine—September 17, slot machine from 99 Madison st.; Officer N. Ryan, 7th. (No arrest.)

37729 Gambling—September 19, four gambling tables from 114 W. 31st st.; Officer Curry and others, 19th; Teddy Morgan and others..... None

37737 Gambling—September 19, Chinese gambling material from 3 Doyers st.; Officer Jas. Gilligan, 6th; Li Gow, arrested..... Dis.

37759 Slot machine—September 21; slot machine from 100 St. Nicholas ave.; Officer Gayan, 31st; H. N. Beason, arrested ..... None

37767 Gambling—September 22, cards and dice from 114 W. 31st st.; Officer Curry and others, 19th; Teddy Morgan, arrested..... None

37777 Pool—September 22, two desks and racing cards from 719 Third ave.; Officers White and Collins, 24th; Thomas Ryan, arrested..... None

37779 Slot machine—September 22, slot machine from 244 W. 125th st.; Officer Barker, 31st; J Ordenman, arrested ..... None

37735 Lottery—September 23, lottery material from 55 Broad st.; Officer J. J. Finley, 1st; Frank Mankonki, arrested ..... Dis.

37800 Slot machine—September 26, slot machine from 11 Allen st.; Officer A Hey, 12th; Wolf Fish, arrested ..... Dis.

37808 Policy—September 26, policy material from 179 E. 120th st.; Officer Sweeny and others, 5th Dist. (No arrest).

37809 Gambling—September 26, Chinese gambling material from 10 Chatham sq.; Officer Leonard, 6th. (No arrest).

37846 Slot machine—October 3, three slot machines from 109 Avenue A; Officer Calahan, 15th; Fred. Spellman, arrested ..... Dis.

37847 Slot machine—October 3, slot machine from 39 3d ave.; Officer Hackett and others from 15th; Chas Wangling, arrested..... None

37848 Slot machine—October 3, slot machine from 75 3d ave.; Officer Walsh and others, 15th; A. Duel, arrested ..... Dis.

37852 Slot machine—October 4, slot machine from 104 Cannon st.; Officer McCormick, 14th; A. Gill, arrested. Machine destroyed by order of commissioners ..... Dis.

37867 Slot machine—October 4, slot machine from 55 Lewis st.; Officer Bissert, 13th; Applebaum and others, arrested ..... Dis.

37868 Slot machine—October 4, slot machine from 589 Grand st.; Officer Bissert, 13th. (No arrest).

37869 Slot machine—October 4, slot machine from 315 Rivington st.; Officer Bissert, 13th (No arrest).

37870 Slot machine—October 4, slot machine from 589 Grand st.; Officer Bissert, 13th. (No arrest).

37929 Policy—October 12, policy books from 75 Thompson st.; Officer Jackson Mahoney, 10th; J. Moran, arrested ..... Dis.

37947 Slot machine—October 14, slot machine from 335 Spring st.; Officer Finn, 10th. (No arrest).

37962 Gambling—October 17, lot of cards from 170 Norfolk st.; Captain O'Keefe, 12; H Goldberg, arrested ..... Dis.

38016 Slot machine—October 26, slot machine from 163 Rivington st.; Officer J. H. Levy, 13th. (No arrest).

38042 Slot machine—October 31, slot machine from 29 Borden ave., L. I. City; Officer P. Kelly, 75th, confiscated. Destroyed by order of commissioners.

38043 Slot machine—October 31, slot machine from 31 Borden ave., L I. City; Officer P. Kelly, 75th. (No arrest). Destroyed by order of commissioners.

38045 Slot machine—November 1, slot machine from 300 Canal st.; Officer R. McKinner, 8th; H. Winehoff, arrested; confiscated. Destroyed by order of commissioners ..... Dis.

38062 Slot machine—November 2, slot machine from 1245 Park ave.; Officer Maxon, 29th; Martin Foody, arrested ..... Dis.

38046 Slot machine—November 1, slot machine from 46 Hudson st.; Officer Burningham, 8th; F. Schaeffer, arrested. Machine destroyed by order of commissioners ..... Dis.

38089 Gambling—November 7, cards from 63 Ridge st.; Officer Bissert, 13th; B. Kaufman, arrested..... Dis.

38104 Slot machine—November 10, slot machine from 92 University place; Officer Hutchison, 16th; LeCarbonero, arrested ..... Dis.

38124 Slot machine—November 12, slot machine from Kingsbridge Road; Officer Dyer, 40th; D. Muhling, arrested. (Sentence suspended).

38139 Slot machine—November 14, two slot machines from 7 Delancey st.; Officer Busser, C. O.; G. Arnold, arrested. (Fined $25).

38158 Policy—November 16, policy material from 405 W. 26th st.; Officer Evans, 17th; J. Rogers, arrested. None

38174 Policy—November 17, policy from 2345 Third ave.; Officer Webb, 5th Insp. Dist. (No arrest).

38175 Slot machine—November 17, slot machine from 231 Rivington st.; Officer Schonick, C. O.; A Jobloner, arrested ..... None

38176 Slot machine—November 17, slot machine from 147 Delancey st.; Officer Schonick, C. O.; A. Komumbum, arrested..... None

38182 Slot machine—November 17, slot machine from 203 Chrystie st.; Officer Schonick, C. O.; George Mulheefer, arrested..... None

38186 Slot machine—November 18, slot machine from 79 Ridge st.; Officer J. Nesbitt, 12th; Max Rottenberg, arrested.....Not held

38193 Gambling—November 18, cards from 125 Washington st.; Officer Mooney, 2d; J. Helleris, arrested.. Dis.

38214 Gambling—November 21, cards from 174 Mulberry st.; Officer Kennelly, 11th; Jos. Valino, arrested.. None

38219 Slot machine—November 21, slot machine from 204 Delancey st.; Officer Bissert, 13th; Max Jacobs, arrested ..... Dis.

38233 November 22, two dice in street. Officer Seymore Syrere, 80th. (No arrest.)

38267 Slot machine—November 28, slot machine from 571 Third ave.; Officer Keating, 21st; W. F. Wineman, arrested ..... None

38275 Gambling—November 29, cards from 284 E. Houston st.; Officer Bissert, 15th; N. Aspendolph, arrested. None

38287 Slot machine—November 30, slot machine from 511 E. Twelfth st.; Officer Larkin, 15th; John Watram, arrested ..... Dis.

38290 Gambling—December 1st, gambling material from 685 6th ave.; Officer Schonick, C. O.; John Conroy, arrested ..... None

38305 Gambling—December 2d, tables, chips, etc., from 6 W. 28th st.; Capt. Price, 19th; no arrest. Goods delivered to sheriff on replevin.

38306 Gambling—December 2d, chips, tables and chairs from 141 W. 41st st.; Capt. Price, 19th; no arrest. Goods delivered to sheriff on replevin.

38317 Gambling—December 5th, tables, cards and chips from 104 W. 43d st.; Officers Lockwood and Sheehan, 22d; Geo. Clarke, arrested. Goods delivered to sheriff on replevin ..... Dis.

38318 Slot machine—December 6th, slot machine from 244 Eighth ave.; Officer J. Long, 17th; P. Goofleisch, arrested. Goods delivered on replevin.. Dis.

38321 Slot machine—December 6th, slot machine from 117 Norfolk st.; Officer Hutchison, 12th; H. Goldberg, arrested ..... None

38325 Slot machine—December 6th, slot machine from 94 6th ave.; Officer Michaels, 16th; C. Kelly, arrested. Machine confiscated and destroyed by order of commissioners ..... Dis.

38362 Slot machine—December 9th, slot machine from 588 Broadway; Officer Gilday, C. O.; Adolph Steig, arrested ..... None

38368 Slot machine—December 12th, slot machine from 291 Bowery; Officer Rosenberg, C. O.; J. Flynn, arrested ..... Dis.

38369 Slot machine—December 12th, slot machine from 1603 Madison ave.; Officer Gilday, C. O.; J. Lamb, arrested; fined $25

38371 Gambling—December 12th, playing cards from 165 Allen st.; Officer Cavanagh, 12th; H. Rossensohn, arrested ..... Dis.

38383 Slot machine—December 12th, slot machine from 1658 Ave. A; Officer J. Wesserman, 28th; no arrest. Machine confiscated and destroyed by order of commissioners.

38407 Slot machine—December 14th, two slot machines from 2551 3d ave.; Officer Beusser, C. O.; Chas. Myer, arrested. Machine delivered on replevin.. Dis.

38408 Slot machine—December 14th, slot machine from 49 Whitehall st.; Officer Gilday, C. O.; H. Culbert, arrested ..... Dis.

38425 Slot machine—December 16th, slot machine from 198 William st.; Officer H. H. Ware, C. O.; P. Hirshkind, arrested ..... Dis.

38426 Slot machine—December 16th, slot machine from 70 Catherine st.; Officer Schonick, C. O.; A. Sundman, arrested. Machine delivered order of corporation counsel. ..... Dis.

38442 Gambling—December 17, cards and chips from 123 W. 26th; Officer P. Curry, 19th; Hippolyte Toty, arrested ..... Dis.

38455 Slot machine—December 19, slot machine from 507 Third ave.; Officer Howard, C. O.; H. Stevenson, arrested. Machine delivered on replevin..... Dis.

38456 Slot machine—December 19, slot machine from 35 E. 59th st.; Officer Schonick, C. O.; J. J. Travis, arrested. Delivered under replevin..... Dis.

38480 Slot machine—December 22, two slot machines from 76 3d ave.; Officer Jackson, 15th; Silveo Micili, arrested. Confiscated and destroyed by order of the commissioners..... Dis.

38496 Gambling—December 27, cards from 147 Chrystie st.; Officer Allen Hay, 12th; L. Sugarman, arrested ..... Dis.

38521 Policy—December 27, policy from 1307 Park ave.; Officer Sweeney, 5th insp. dist. No arrest.....

38541 Slot machine—December 29, slot machine from 15 Ave. B.; Officer Busser, C. O.; Howard Falk, arrested. Machine delivered on order of corporation counsel ..... Dis.

38548 Slot machine—December 30, slot machine from 14 W. 4th st.; Officer Gilday, C. O.; Lewis Ludwig, arrested ..... None

38550 Slot machine—December 30, slot machine from 116 University pl.; Officer Haughey, C. O.; F. Versell, arrested ..... Dis.

38554 Slot machine—December 30, slot machine from 78 Cortlandt st.; Officer Connor, 2d; Dominick Domatulo, arrested ..... Dis.

38555 Slot machine—December 30, slot machine from 98 West st.; Officer Connor, 2d; Angelo Pedrola, arrested ..... Dis.

38556 Slot machine—December 30, slot machine from 139 West st.; Officer Ware, C. O.; Lewis Lehing, arrested ..... Dis.

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38615 Slot machine—January 7, slot machine from 189 E. 3d st.; Officer McCarthy, 15th; Germaine, arrested Dis.

38616 Slot machine—January 9, slot machine from 78 Cortlandt st.; Officer Connor, 2d; D. Donatalo, arrested ..... Dis.

38618 Gambling—January 9, tables, chips and cards from 245 W. 42d st.; Officer Sheehan, 22d; W. Henry, arrested ..... Dis.

38621 Slot machine—January 9, slot machine from 221 E. 88th st.; Officer J. Wasserman, 28th. (No arrest.)

38623 Slot machine—January 9, slot machine from 116 E. 14th st.; Officer Busser, C. O.; J. K. Parker, arrested ..... Dis.

38630 Gambling—January 9, Chinese gambling material from 22 Pell st.; Officer Finley, 6th. (No arrest.)

38661 Slot machine—January 12, two slot machines from 1730 2d ave.; Officer Busser, C. O.; Chas. Ossler, arrested ..... Dis.

38678 Lottery—January 13, lottery sheets from 209 Forsythe st.; Officer Hawe, 12th; Francis Amacheuer, arrested ..... None

38696 Slot machine—January 16, slot machine from 3038 Third ave.; Officer F. Baker, 36th; W. A. Flannigan, arrested ..... None

38718 Gambling—January 18, cards from 288 Cherry st.; Officer McCarthy, 7th; Samuel Eddman, arrested.. Dis.

38724 Slot machine—January 18, slot machine from 510 W. 48th st.; Officer M. Morris, 22d; Bruno Eusama, arrested ..... Dis.

38725 Slot machine—January 18, slot machine from 777 10th ave.; Officer Sheehan, 22d; J. C. McCabe, arrested ..... Dis.

38731 Slot machine—January 19, slot machine from 1043 Park ave.; Officer L. F. Angeline, 28th; J. Corso, arrested ..... Dis.

38732 Slot machine—January 19, slot machine from 982 Washington ave.; Officer Schindler, 36th; John Rittiemeuer, arrested..... None

38733 Slot machine—January 19, slot machine from 738 E. 167th st.; Officer T. Everette, 36th. (No arrest.)

37779 Slot machine—January 23, slot machine from 72 Amsterdam ave.; Officer J. A. Quinn, 26th; Hartman and Freeman, arrested..... Dis.

38807 Slot machine—January 24, slot machine from 2513 3d ave.; Officer Brown and others, 35th; F. D. Kluhsemyer, arrested ..... None

38808 Slot machine—January 24, slot machine from 502 Brook ave.; Officer Fogarty, 35th; P. Smith, arrested ..... None

38817 Slot machine—January 26, slot machine from 2d ave., College Point; Officer O'Connell, 76th; James Wallace, arrested..... Dis.

38834 Slot machine—January 27, four slot machines from 296 Stanton st., 249 Stanton st., 137 Cannon st., 165 Lewis st.; Officer Clifford, 14th. (No arrest.)

38850 Gambling—January 30, two tables, cards and chips from 249 W. 42d st.; Officer Sheehan, 22d; J. Simmis, arrested..... None

38854 Gambling—January 30, dice from 221 W. 61st st.; Officer Hawthorne and others, 26th; M. Christopher ..... None

38882 Policy—February 2, policy from 315 E. 34th st.; Officer M. Schroder, 4th; T. Moran, arrested..... None

38889 Policy—February 3, policy from 210 E. 34th st.; Officer J. Cavanagh, 4th Ct.; J. Kelly, arrested..... None

38890 Policy—February 3, policy from 329 E. 32d st.; Officer T. J. Newman, 4th Ct.; M. Green, arrested.... None

38909 Slot machine—February 6, two slot machines from 563 W. 23d st.; Officer Perkins, 17th; P. Steubenell, arrested..... None

38906 Slot machine—February 6, slot machine from 211 W. 63d st.; Officer R. Donohue, 26th. (No arrest.)

38932 Slot machine—February 8, slot machine from Bell ave., Bayside; Officer W. Allen, 76th; L. Russilinano, arrested..... Dis.

38967 Pool—February 14, racing cards from 620 Grand st.; Captain Thompson, 13th; J. Wallace, arrested... Dis.

38939 Slot machine—February 9, slot machine from 437 Columbus ave.; Officer Gilday, C. O.; W. Meeks, arrested ..... None.

38979 Slot machine—February 17, slot machine from 1101 Park ave.; Officer Wasserman, 28th; H. Saull, arrested ..... None

38980 Slot machine—February 17, slot machine from 1103 Park ave.; Officer E. Ehlers, 28th; W. Bossell, arrested ..... None

39004 Slot machine—February 20, slot machine from 417 E. 5th st.; Officer Larkin, 15th; Gottleib Tuchloscher, arrested..... None

39019 Slot machine—February 23, slot machine from 67 Warren st.; Officer Farrington, 1st Ct.; Alfonzo Sterck, arrested..... None

39021 Slot machine—February 23, slot machine from 618 8th ave.; Officer Michales, 22d; Chas. Brooks, arrested ..... Dis.

39075 Slot machine—February 27, slot machine from 155 Ave C; Officer Busser, C. O.; D. Freedman, arrested ..... Dis.

39080 Gambling—February 28, cards from New Brighton, S. I.; Officer J. Jose, 81st; F. Zeitz, arrested..... Dis.

39082 Slot machine—February 28, slot machine from 242 E. 3d st.; Officer Busser, C. O.; John Majorsky, arrested ..... None

39090 Slot machine—March 1, two slot machines from 517 W. 26th st.; Officer J. P. Perkins, 17th. (No arrest.)

39009 Gambling—March 2, dice and chips from 156 E. 98th st.; Officer Boyle, 29th; J. R. Willett, arrested... None

39127 Slot machine—March 6, slot machine from 2177 5th ave.; Officer W. F. Maher, 32d; C. E. Martihoff, arrested ..... Dis.

39150 Slot machine—March 7, slot machine from 90 Beaver st.; Officer Quigley and others, 1st; J. J. O'Donnell, arrested ..... None

39153 Slot machine—March 8, slot machine from 22 Throop ave.; Officer E. Sugden, C. O.; Jos. Hill, arrested.. Dis.

39154 Slot machine—March 8, slot machine from 50 Broadway, Brooklyn.; Officer Rossenberg, C. O.; A. Cruger, arrested. Machine destroyed by order of commissioners .....Fined $10

39170 Slot machine—March 10, slot machine from 91 4th ave.; Officer Darcey, C. O.; Chas. Dressler, arrested Dis.

39216 Slot machine—March 15, slot machine from 1513 1st ave.; Officer J. T. Higgins, 28th. (No arrest.)

39219 Slot machine—March 15, slot machine from 137 Norman ave., Brooklyn; Officer Busser, C. O.; W. F. Dryar, arrested. Machine destroyed by order of commissioners .....Fined $10

39221 Slot machine—March 15, slot machine from 162 Nassau ave., Brooklyn; Officer Busser, C. O.; John Manly, arrested. Machine destroyed by order of commissioners .....Fined $10

39223 Slot machine—March 15, slot machine from 623 Manhattan ave., Greenpoint; Officer Wekerle, C. O.; Thomas Taylor, arrested. Machine destroyed by order of commissioners.....Fined $10

39225 Slot machine—March 15, slot machine from 110 Franklin ave., Brooklyn; Officer H. H. Ware, C. O.; Dennis Gilday, arrested. Machine destroyed by order of the commissioners.....Fined $10

39230 Slot machine—March 15, slot machine from 19 2d ave.; Officer J. Howard, C. O.; I. Hirschorne, arrested ..... None

39231 Slot machine—March 15, slot machine from 194 Ave. C; Officer J. Brown, 14th, C. O.; Michael Muller, arrested ..... None

39233 Slot machine—March 15, slot machine from 163 Ave. C; Officer Busser, C. O.; Geo. Muller, arrested... None

39235 Slot machine—March 15, slot machine from 1280 3d ave.; Officer F. J. Finn, C. O.; B. Malone, arrested ..... None

29236 Slot machine—March 15, slot machine from 1407 2d ave.; Officer, Roundsman D. Grady, C. O.; E. Wells, arrested ..... None

39243 Slot machine—March 16, slot machine from 2558 8th ave.; Officer J. Prubkitt, 31st; James Miller, arrested ..... None

39244 Slot machine—March 16, slot machine from 2241 8th ave.; Officer F. Lowmeyer, 31st; A. Treabold, arrested ..... None

39251 Gambling—March 17, three tables, chips, etc., from 1411 3d ave.; Roundsman D. Grady, C. O.; W. Ennis and others arrested ..... None

39284 Slot machine—March 22, slot machine from 2127 7th ave.; Officer R. Hart, 31st. (No arrest.)

39311 Gambling—March 25, table and two dice from 80 McDougal st.; Officer Hall, 16th; James Coluser, arrested ..... None

39322 Gambling—March 27, cards from 22 Stanton st.; Officer J. J. Curran, 12th; S. Palmalato, arrested.... Dis.

39331 Gambling—March 28, six pins and two gambling cloths from 141 Bowery; Officer A. D. Brown, 12th; W. Fish, arrested..... Dis.

39362 Gambling—April 1, two dice from 111th st. and 2d ave.; Officer Gilderman, 29th; Frank Constandine, arrested .....Fined $2

39571 Gambling—April 24, chips and cards from 199 Forsythe st.; Officer Nell, 12th; S. Wishunsky, arrested ..... Dis.

39608 Slot machine—April 27, slot machine from 31 3d ave.; Officer M. Schwartz, 3d Ct.; John Bichner, arrested ..... None

39610 Slot machine—April 27, slot machine from 23 3d ave.; Officer G. A. Baggert, 3d Ct.; E. Zimmerman, arrested ..... None

39663 Slot machine—May 2, two slot machines from 108 W. 18th st.; Officer R. J. Bennings, 19th; J. Michaels, arrested ..... None

39671 Policy—May 2, policy from 532 W. 27th st.; Officer P. O. Sullivan, 17th; J Lynch, arrested..... Dis.

39689 Slot machine—May 5th, slot machine from 2591 8th ave.; Officer R. H. Hart, 31st; W. Shipperman, arrested ..... Dis.

39692 Slot machine—May 5, slot machine from 220 W. 18th st.; Officer L. Snyder, 17th; O. McGurney, arrested ..... None

39705 Gambling—May 6, cards from 15 Montgomery st.; Officer G. Little, 7th; Rosa Schapiro, arrested... Dis.

39714 May 8, dice from street; Captain Schultz, 14th. (No arrest).

39729 Gambling—May 9, two dice from 159 Suffolk st.; Captain Schultz, 14th. (No arrest).

39749 Slot machine—May 10, slot machine from 1880 Lexington ave.; Officer W. McAvoy, 23d. (No arrest).

39795 Policy—May 18, policy from 204 E. 65th st.; Officer J. Griffin, 25th; W. Corrister, arrested..... Dis.

39817 Slot machine—May 22, slot machine from 330 W. 96th st.; Officer T. H. Lynch, 30th; C. J. Williams, arrested ..... None

39830 May 23, two dice from Stapleton, S. I.; Officer Young, 80th; W. Kennedy, arrested..... Dis.

39913 Gambling—June 5, tables and chips from 1144 Broadway; Captain Price, 19th. (No arrest).

39962 Slot machine—June 13, slot machine from 295 E. 3d st.; Officer P. A. Sheridan, 14th. (No arrest).

40050 June 21, dice from street; Officer M. Downes, 21st. (No arrest).

40109 Gambling—June 28, cards from 213 Broome st.; Officer Curran, 12th; John Doe, arrested..... Dis.

40227 Slot machine—July 6, slot machine from 486 Greenwich st.; Officer Farrell, et al, 8th; W. Kennedy, arrested ..... Dis.

40284 Slot machine—July 12, slot machine from 158 Montgomery st.; Officer J. J. Delancey, 7th; D. Magaloft, arrested ..... Dis.

40294 Slot machine—July 13, slot machine from 205 W. 29th st.; Officer J. Coughlin, 20th; Otto Vogt, arrested ..... None

40375 Slot machine—July 26, slot machine from 724 E. 11th st.; Officer Hay, et al., 14th. (No arrest.)

40388 Slot machine—July 28, slot machine from Springfield, S. I.; Roundsman Wilson, 80th; P. Bamberger, arrested ..... None

40408 Gambling—July 31, cards from 85 Ludlow st.; Officer W. F. Sheehan, 12th; A. Freedman, arrested. None

40411 Gambling—July 31, cards from 50 Ludlow st.; Officer M. Higgins, 12th; J. Schaffer, arrested..... Dis.

COMMENTS.

In this period, January 1, 1898, to July 31, 1899, it appears from this report that there were 367 gambling cases, of which 305 were signalized by arrests. It will be noticed that in his whole period, there are only three important raids on gambling houses (marked with a star), all abortive, and in each case the property seized was returned. In 16 cases there were convictions, with punishments as follows: One defendant sent to Elmira Reformatory, one to the Juvenile Asylum, one sentence suspended, and 13 fined in the aggregate amount of $135. One hundred and sixty-four defendants were discharged; 118 defendants have not been disposed of. The rest are not stated. There were 218 cases where slot machines (gambling implements) were seized, and only 28 of these have been destroyed. No gambling property other than slot machines has been destroyed.

Although this record shows the seizure of slot machines in 213 cases, the chief's book of suspicious places shows only 87 places suspected on account of slot machines being seized, all, however, being crossed off and discontinued, it being the chief's custom to enter a place where a machine was found, and cross it off the same day, on the apparent theory that the confiscation of the machine destroyed the taint of suspicion.

On this list there are 74 places where the arrest and seizure indicated gambling houses, —— of which are or were on the chief's said book; 5 places which appear to be pool rooms; 42 places which appear to be policy shops. Twenty-eight of these occurred in the four months during which McCullagh remained chief, an average of seven a month. In the succeeding 15 months there were 13 such raids on policy shops, an average of less than one a month.

The five raids on bucket shops all occurred before Devery became chief.

Mr. Moss—There are all, concerning the district attorney, and incidentally, the police department. The police department has furnished us a list which is so voluminous that I will not put it on the record but will offer it to be marked.

It is a list of arrests from January 1, 1898, for these different classes of offenses that I have mentioned. These have not been carefully added up.

From January 1, 1898, down to October, for keeping disorderly houses, there were 376 arrests. Only 175 of these arrests occurred in 1899.

For gambling in general there were 261 arrests, of which 177 occurred in 1899.

For violation of the gambling laws there were 432 cases, of which only 64 occurred in 1899.

For keeping gambling houses there were 203 arrests, of which only 56 occurred in 1899.

For violation of the lottery law there were 99 arrests, of which only 29 occurred in 1899.

For craps playing there were 106 arrests, all of them occurring in 1899. That is against the news boys, do you see?

Mr. Bruce—Yes.

Mr. Moss—For violation of the policy law there were 49 arrests, of which only two occurred in 1899.

For keeping gambling apparatus there were 49 arrests, of which only three occurred in 1899.

For violation of the pool law, keeping pool rooms, there were 71 arrests, of which only 24 occurred in 1899.

For the offense of being a common gambler there were 47 arrests since January 1, 1898, of which only nine occurred in 1899.

For keeping an opium joint there were 16 arrests, all in 1899.

I will have this list marked.

(The list is marked "Exhibit E, Nov. 3, 1899.")

Mr. Moss—In passing I call your attention to the remarkable lessening of the number of arrests in gambling places in the year 1899, it being the smallest possible percentage of the total. Comparing 1899 with 1898 it is a startling contrast in the number of arrests that were made.

I have also, furnished from the detective bureau, a list of cases where arrests were made by the detective bureau in 1898, but there has not yet been a trial. This relates entirely to the district attorney's office. It appears from this return that in such cases as grand larceny, forgery, robbery, assault, cases of serious consequence, such as are handled in the detective bureau, there are 31 cases where the arrests were made in 1898, and the cases have not yet been tried. The following is a copy of the list:

ARRESTS MADE IN 1898 WHICH ARE STILL PENDING TRIAL.

January 10, 1898, Thomas Weir, grand larceny; held for trial January 10, 1898, by Judge Goff.

February 14, 1898, William R. Foster, forgery; held for trial February 15, 1898, by Judge Fitzgerald.

March 10, 1898, Frank W. Simpson, grand larceny; held for trial March 11, 1898, by Judge Cornell.

April 5, 1898, James Sanderson, robbery, held for trial April 6, 1898, by Judge Pool.

April 10, 1898, Mary Thomas, grand larceny; held for trial April 11, 1898, by Judge Cornell.

April 12, 1898, Edward J. Mulligan, forgery; held for trial April 14, 1898, by Judge Newberger.

April 15, 1898, Herman Cohen, violating section 574, Penal Code; held for trial April 15, 1898, by Judge Cornell.

April 15, 1898, Frank A. Keller, grand larceny; held for trial April 18, 1898, by Judge Cornell.

April 15, 1898, James Ford, grand larceny; held for trial April 18, 1898, by Judge Cornell.

May 2, 1898, John J. McKenna, violating section 53, Penal Code; held for trial, May 2, 1898, by Judge Newberger.

May 2, 1898, George Edwards, receiving stolen goods; held for trial May 3, 1898, by Judge Olmstead.

May 6, 1898, John Levy, felonious assault; held for trial May 7, 1898, by Judge Olmstead.

May 9, 1898, Marcellus H. Barilate, violating section 53, Penal Code; held for trial May 9, 1898, by Judge Newberger.

May 14, 1898, George B. A. Bush, grand larceny; held for trial May 16, 1898, by Judge Crane.

May 23, 1898, Tony Benlitiri, assault; held for trial May 23, 1898, by Judge Newberger.

May 27, 1898, Mary Brown, petit larceny; held for trial May 28, 1898, by Judge Crane.

June 6, 1898, Irving A. Grey, petit larceny; held for trial June 6, 1898, by Judge Wentworth.

June 16, 1898, Sterling E. Smith, grand larceny; held for trial June 17, 1898, by Judge Brann.

June 18, 1898, Frank R. Walker, grand larceny; held for trial June 18, 1898, by Judge Brann.

June 30, 1898, Charles Kiernan, carrying concealed weapons; held for trial June 30, 1898, by Judge Brann.

July 7, 1898, Conrad Stadler, felonious assault; held for trial July 8, 1898, by Judge Flammer.

July 12, 1898, John Ferner, forgery; held for trial July 13, 1898, by Judge Flammer.

July 20, 1898, Henry Dummerville, grand larceny; held for trial July 22, 1898, by Judge Kudlich.

July 25, 1898, James F. Cowan, attempted larceny; held for trial July 26, 1898, by Judge Kudlich.

July 26, 1898, Isaac Vail, grand larceny; held for trial July 28, 1898, by Judge Garretson.

July 31, 1898, Alfred Cowan, grand larceny; held for trial August 1, 1898, by Judge Newberger.

August 2, 1898, Harry Camp, grand larceny; held for trial August 3, 1898, by Judge Flammer.

August 10, 1898, Marcellus H. Barilate, violating section 53, Penal Code; held for trial August 11, 1898, by Judge Newberger.

August 10, 1898, Annie Johnson, grand larceny; held for trial August 11, 1898, by Judge Olmstead.

April 13, 1898, Julius Samuels, receiving stolen goods; held for trial August 26, 1898, by Judge Kudlich.

August 19, 1898, Rosina Sepe, receiving stolen goods; held for trial August 20, 1898, by Judge Simms.

August 23, 1898, Herman, Bartholman, grand larceny; held for trial September 21, 1898, by Judge Kudlich.

September 2, 1898, Conrad J. Fisher, violating section 343, Penal Code; held for trial September 12, 1898, by Judge Deuel.

September 2, 1898, Clara Phillips, violating section 343, Penal Code; held for trial September 12, 1898, by Judge Deuel.

September 2, 1898, Frank Mills, violating section 343, Penal Code; held for trial September 9, 1898, by Judge Deuel.

September 2, 1898, E. S. Bootay, violating section 343, Penal Code; held for trial September 6, 1898, by Judge Deuel.

September 2, 1898, John Harris, violating section 343, Penal Code; held for trial September 6, 1898, by Judge Deuel.

September 2, 1898, Joseph Gray, violaing section 343, Penal Code; held for trial September 12, 1898, by Judge Deuel.

September 3, 1898, James Shruenn, grand larceny; held for trial September 4, 1898, by Judge Deuel.

September 6, 1898, Patrick F. O'Connor, violating section 343, Penal Code; held for trial September 6, 1898, by Judge Deuel.

September 8, 1898, Daniel Roland, petit larceny; held for trial September 9, 1898, by Judge Deuel.

September 10, 1898, Herman Blustein, grand larceny; held for trial September 21, 1898, by Judge Simms.

September 12, 1898, Saml. Shewen, bigamy; held for trial September 12, 1898, by Judge Newberger.

September 12, 1898, Francis Egleston, violating section 343 penal code; held for trial September 12, 1898, by Judge Deuel.

September 13, 1898, James O'Brien, assault; held for trial September 13, 1898, by Judge Newberger.

September 15, 1898, Max Schwartz, grand larceny; held for trial September 15, 1898, by Judge Olmstead.

September 16, 1898, John Kneeland, attempted larceny; held for trial September 16, 1898, by Judge Flammer.

September 17, 1898, Jos. Kaufman, grand larceny; held for trial September 21, 1898, by Judge Simms.

September 17, 1898, Jos. Klodowsky, grand larceny; held for trial September 21, 1898, by Judge Simms.

September 26, 1898, Chas. E. Tompkins, grand larceny; held for trial September 26, 1898, by Judge Deuel.

October 4, 1898, Alex McCauley, grand larceny; held for trial October 5, 1898, by Judge Cornell.

October 7, 1898, Chas. Hermandez, grand larceny; held for trial October 8, 1898, by Judge Cornell.

October 10, 1898, George Cahill, grand larceny; held for trial October 10, 1898, by Judge Simms.

October 10, 1898, Moses Levy, violating section 587 penal code; held for trial October 12, 1898, by Judge Fitzgerald.

October 12, 1898, Elmer J. White, grand larceny; held for trial October 13, 1898, by Judge Olmstead.

October 13, 1898, Margaret Berdie, petit larceny; held for trial October 13, 1898, by Judge Simms.

October 13, 1898, Marie Birdie, petit larceny; held for trial October 13, 1898, by Judge Simms.

October 18, 1898, Thomas Hannan, grand larceny; held for trial October 24, 1898, by Judge Pool.

October 21, 1898, Arthur P. Middleton, violating section 53 penal code; held for trial October 22, 1898, by Judge Mott.

October 22, 1898, David Levy, violating section 587 penal code; held for trial October 22, by Judge Goff.

October 22, 1898, James Levy, violating section 587 penal code; held for trial October 22, 1898, by Judge Goff.

October 23, 1898, Louis Spiegel, grand larceny; held for trial October 24, 1898, by Judge Cornell.

October 28, 1898, John Stack, rape; held for trial October 29, 1898, by Judge Goff.

October 31, 1898, Wm. J. Kahn, grand larceny; held for trial October 31, 1898, by Judge Olmstead.

November 1, 1898, Errico Elfani, false registration; held for trial November 1, 1898, by Judge Fitzgerald.

November 1, 1898, Thos. E. Campbell, grand larceny; held for trial November 4, 1898, by Judge Fitzgerald.

November 13, 1898, Frank Stafford, violating section 571 Penal Code; held for trial November 14, 1898, by Judge Olmstead.

November 15, 1898, Rudolph Domschki, grand larceny; held for trial November 16, 1898, by Judge Cowing.

November 17, 1898, Rich. F. Price, grand larceny; held for trial November 17, 1898, by Judge Crane.

November 17, 1898, Antonio Creparullo, petit larceny; held for trial November 17, 1898, by Judge Crane.

November 19, 1898, John J. Ramer, petit larceny; held for trial November 19, 1898, by Judge Cowing.

November 19, 1898, Etta Reis, violating section 295 Penal Code; held for trial December 15, 1898, by Judge Olmstead.

November 23, 1898, Chas. Furthman, violating liquor tax laws; held for trial November 23, 1898, by Judge Fitzgerald.

November 23, 1898, Peter Masterson, violating liquor tax laws; held for trial November 23, 1898, by Judge Fitzgerald.

December 16, 1898, Jacob Frank, grand larceny; held for trial December 17, 1898, by Judge Wentworth.

December 16, 1898, Benj. Libman, grand larceny; held for trial December 17, 1898, by Judge Wentworth.

December 19, 1898, Louis Rutt, violating section 1518 New York Charter; held for trial December 19, 1898, by Judge McMahon.

December 19, 1898, Israel Goldberg, grand larceny; held for trial December 20, 1898, by Judge Wentworth.

December 20, 1898, John Carlton, grand larceny; held for trial December 21, 1898, by Judge Crane.

December 22, 1898, Frank Mills, violating section 343 Penal Code; held for trial December 22, 1898, by Judge McMahon.

December 22, 1898, Augusta Kattenmeyer, grand larceny; held for trial December 23, 1898, by Judge Crane.

December 22, 1898, Betty Hayes, grand larceny; held for trial December 23, 1898, by Judge Crane.

December 23, 1898, Chas. Gallagher, Sub. of perjury; held for trial December 24, 1898, by Judge Goff.

December 25, 1898, Robert Banora, grand larceny; held for trial December 26, 1898, by Judge Mott.

December 29, 1898, Mary Ann Norton, grand larceny; held for trial December 29, 1898, by Judge Wentworth.

December 29, 1898, Frank Thomas, grand larceny; held for trial December 30, 1898, by Judge Mott.

December 30, 1898, Ernest C. Webb, grand larceny; held for trial December 31, 1898, by Judge Mott.

December 31, 1898, David Rothschild, grand larceny; held for trial January 1, 1899, by Judge Mott.

Mr. Moss—I offered the formal lists supplied by the warden of the tombs, headed on printed form "List of prisoners charged with homicide," showing 26 homicide prisoners in the tombs and six homicide defendants out on bail. As to three of the 26, one is on trial and two are awaiting sentence.

Mr. Hoffman—You are having these papers marked in evidence, are you?

Mr. Moss—Yes.

The following is a copy of the paper referred to:

LIST OF PRISONERS CHARGED WITH HOMICIDE.

May 15, 1899, Thomas McGrath; Coroner Zucca; indicted May 26, 1899, for murder; on trial in Supreme Court.

June 8, 1899, John J. Murphy; Coroner Hart; indicted June 20, 1899, for manslaughter, second degree; awaiting sentence.

June 27, 1899, Philip McDermott; Coroner Bausch; indicted July 20, 1899, for assault.

June 27, 1899, Dudley Smith; Coroner Zucca; indicted August 1, 1899, for murder.

July 10, 1899, Nicolo Tocci; Coroner Zucca; indicted August 23, 1899, for murder.

July 18, 1899, Michael Rubino; Magistrate Flammer; indicted August 1, 1899, for murder.

July 20, 1899, Roland B. Molineux; General Sessions; indicted July 20, 1899, for murder.

August 28, 1899, Thomas Sexton; Coroner Zucca; indicted September 25, 1899, for manslaughter, second degree.

August 28, 1899, Patrick J. Ryan; Coroner Zucca; indicted September 25, 1899, for manslaughter.

August 10, 1899, Joshua Hines; General Sessions; indicted August 1, 1899, for murder.

August 17, 1899, Guiseppi Sclafano; Magistrate Brann; indicted August 18, 1899, for murder.

August 12, 1899, Richard Moore; Coroner Zucca; indicted September 20, 1899, for murder.

August 22, 1899, William Neufeld; Coroner Fitzgerald; indicted August 22, 1899, for murder.

October 13, 1899, Chin Sam; Coroner Hart; not indicted, October 27, 1899.

September 11, 1899, John J. McKenna; Magistrate Hogan; indicted October 13, 1899, for murder.

September 19, 1899, George W. Darney; Coroner Zucca; indicted (as Geo. W. Dorney) October 25, 1899, for manslaughter, first degree.

September 26, 1899, Michael Buezney; Coroner Bausch; indicted October 27, 1899, for murder.

September 27, 1899, Angelo Barillo; Coroner Zucca; not indicted, October 27, 1899.

October 5, 1899, John O'Brien; Magistrate Flammer; indicted October 26, 1899, for murder.

October 13, 1899, Carl A. Eckell; Coroner Bausch; not indicted, October 27, 1899.

October 17, 1899, Geo. W. Johnson; Coroner Bausch; not indicted, October 27, 1899.

October 20, 1899, Constantine Genonzis; Coroner Fitzpatrick; indicted October 25, 1899, for murder.

October 23, 1899, John Ferro; Coroner Fitzpatrick; not indicted, October 27, 1899.

October 24, 1899, Robert Lee; Coroner Zucca; not indicted, October 27, 1899.

August 28, 1899, Daniel O'Connell; Coroner Zucca; indicted (as Daniel O'Connor) September 25, 1899, for manslaughter, second degree.

March 28, 1899, Dennis Sullivan; Magistrate Kudlich; indicted April 24, 1899, for murder; awaiting sentence for manslaughter.

HOMICIDE DEFENDANTS ON BAIL.

Christina Schultz, October 24, 1899; manslaughter, first degree.

Daniel McPeak, October 13, 1899; manslaughter, second degree.

Wm. Donovan, June 27, 1899; manslaughter, second degree.

Helen Opp, May 19, 1899; manslaughter, first degree.

James Hawkins, April 27, 1899; manslaughter, first degree.

James O'Donnell, March 30, 1899; manslaughter, first degree.

Mr. Moss—I offer a list to be marked for identification, showing the criminal cases that have appeared on the court calendars from January 3, 1899, to June 30, 1899. That is, six months—and not including the summer time. There were upon the criminal calendars of the general sessions in those six months 8,244 entries. Of that number 1,098 cases appeared once, 644 cases appeared twice, 349 cases appeared three times, 258 cases appeared four times, 156 cases appeared five times, 129 cases appeared six times, 73 cases appeared seven times, 56 cases appeared eight times, 37 cases appeared nine times, 20 cases appeared ten times, 24 cases appeared eleven times, 14 cases appeared twelve times, 6 cases appeared thirteen times, 8 cases appeared fourteen times, 2 cases appeared fifteen times, 4 cases appeared sixteen times, 1 case appeared seventeen times. I will put the first two pages in evidence.

The paper is marked "Exhibit H."

The following is a copy of the first two pages:

CASES ON COURT CALENDAR, JANUARY 3, 1899, TO JUNE 30, 1899.

January to June, 1899.

Total number of cases in January	1,306
Total number of cases in February	1,086
Total number of cases in March	997

Total number of cases in April	1,810
Total number of cases in May	1,596
Total number of cases in June	1,449
Number of cases for six months	8,244

1,099 cases appear 1 time	1,098 cases
644 cases appear 2 times	1,288 cases
349 cases appear 3 times	1,047 cases
258 cases appear 4 times	1,032 cases
156 cases appear 5 times	780 cases
129 cases appear 6 times	774 cases
73 cases appear 7 times	511 cases
56 cases appear 8 times	448 cases
37 cases appear 9 times	333 cases
20 cases appear 10 times	200 cases
24 cases appear 11 times	264 cases
14 cases appear 12 times	168 cases
6 cases appear 13 times	178 cases
8 cases appear 14 times	112 cases
2 cases appear 15 times	30 cases
4 cases appear 16 times	64 cases
1 case appears 17 times	17 cases
Total	8,244 cases

Mr. Hoffman—From whom was this record obtained?

Mr. Moss—Obtained from the calendars printed in the law record.

I have a similar record for the cases appearing on the criminal calendars in the law record, from July 1, 1899, to September 30, 1899, covering substantially the summer months. The total number of entries was 1,780. "Entries" does not mean cases.

Of that number 288 cases appeared once, 132 cases appeared twice, 79 cases appeared three times, 59 cases appeared four times, 44 cases appeared five times, 22 cases appeared six times, 7 cases appeared seven times, 10 cases appeared eight times,

6 cases appeared nine times, 8 cases appeared ten times, 3 cases appeared eleven times, 1 case appeared twelve times, 2 cases appeared thirteen times, 2 cases appeared fifteen times, 1 case appeared seventeen times, 1 case appeared twenty-two times.

I will have that paper marked, but will offer in evidence the first two pages.

(The paper is marked "Exhibit I.")

The following is a copy of the first two pages:

CASES ON COURT CALENDAR JULY 1, 1899, TO SEPTEMBER 30, 1899.

Cases appearing on court calendar twenty-two times, from July 1, to September 30, 1899.

De Angelo, Dominick, grand larceny, July 6, 7, 11, 13, 18, 21, 26; August 7, 9, 11, 15, 16, II Part. August 21, 22, 25, 28; September 13, 18, 19, 22, 26. See page 32. Set 1.

288 cases appear 1 time	288
132 cases appear 2 times	264
79 cases appear 3 times	237
59 cases appear 4 times	236
44 cases appear 5 times	220
22 cases appear 6 times	132
7 cases appear 7 times	49
10 cases appear 8 times	80
6 cases appear 9 times	54
8 cases appear 10 times	80
3 cases appear 11 times	33
1 case appears 12 times	12
2 cases appear 13 times	26
2 cases appear 15 times	30
1 case appears 17 times	17
1 case appears 22 times	22
Total number of cases	1,780

GEORGE P. HAMMOND, JR., being recalled and further examined, testified as follows:

Examined by Mr. Moss:

I can't reach the general sessions; they are busy on the telephone. I produce some figures showing the burglaries and robberies entered upon the police books. With the amounts, etc. After I had testified about those, you asked me to go over the figures and make comparisons by the six months. I did do so. That was, to take the first six months of 1898, the second six months of 1898, and the first six months of 1899. The first six months of 1898 there were, 3,560 of robberies on the precinct books; the police records; which amounted to $326,715.58. For the second period of 1898 there were 4,229 cases of robbery, and the amount was $105,850.06. The first half of 1899 was 5,117 cases, amounting to $433,880.97. That showed an increase for the first six months of 1899, over that of the first six months of 1898, of $107,165.39. or 33 per cent. increase. The first six months of 1899 showed an increase over the second period of 1898 of seven per cent. In the number of cases, the first six months of 1899, showed an increase over the first six months of 1898 of 1,557 cases, or 44 per cent., and an increase over the second period of 1898 of 21 per cent. I have been familiar, through my relation with the city vigilance league during a number of years, with those parts of the city that have been specially notorious for disorderly houses and resorts for disorderly people. I have known where they were.

Q. I want to ask you if there has been any marked increase in the number of those places within the last few months—if there has been any marked increase in that kind of business within that period. A. Yes, sir; there has been. There has been a decided increase in certain sections of the city. There has been a notable change in the way that those places are conducted in the last few months. They are conducted more openly in the last few months than they have ever been, to my

knowledge. I have observed the character of people, as to their age and circumstances, that are attending the places that have been specified in previous testimony along the east side. As to age, it is a very notable fact that they number among them boys of fifteen to eighteen years of age. There is a large number of those boys frequenting those places. Including the boys, I have found men there from fourteen to thirty. The majority of them in the neighborhood of eighteen or nineteen years of age. I am speaking particularly, of those open places where one goes into a concert garden or a place having that appearance from the street. "Admission free" is generally on the outside. The conduct of those places is very vicious at present.

Q. Reference has been made in the previous testimony to places that are well known as being resorts for male prostitutes. Has that unmentionable crime, so far as it is open to the people been on the increase? A. It has increased wonderfully within the last six months.

Mr. Moss—The attention of Chief Devery was called to a place called Paresis Hall, which he located at once.

The Witness—That he did.

Mr. Moss—And the character of which he declared amusing. Is that place still in existence?

The Witness—It is still in existence, but it has not kept pace with others. I mean to say others have opened.

Q. Is it not a fact that there is not any of those resorts, concert halls, so-called, and resorts for the dissolute classes, which has not its male degenerates? A. Of course the term "concert hall" covers a variety of places.

Q. How many of those places do you know of that are open from the street, where boys go in freely, and where they have attached to it as a feature of the place, a male degenerate? A. On the Bowery alone there is to my knowledge certainly six places. There are other places where they have them.

Q. Do these poor, miserable creatures make themselves public? do they show themselves? A. They do. They exhibit themselves and solicit. I have seen them solicit openly, and they have solicited me.

Q. Do you remember an occasion recently when one of those persons, after exhibiting himself, walk through the audience and offered his photograph for sale? A. Yes, sir. He just got through singing a song. I should not say he, I should say "it" "It" just got through singing a song.

Q. And then went through the audience offering his photograph for sale? A. A table where he visited, where there were three or four gentlemen sitting there, he offered the photographs. Those are the photographs sold by him at that place that night. (Showing photographs). I bought these from that party. That was a place called "Little Bucks," at the Bowery. I don't remember the number; but it is diagonally opposite from Paresis Hall. It is an offshoot of that. It is the place as to which I testified last summer, as a place where they used to give what they called "the circus." He was not the only man of that kind that was present. I don't just recall now how many there were; there were either three of four of them. There were two of them sang; sang a duet. There were men and women in that place. There was immoral solicitation and immoral conduct. They danced the rag time there. By the rag time I mean a decidely immoral dance. That is one of the evils of this thing. You will find the word "rag time" used in high social circles. The people do not know what it means. They do not know where it emanated from. If they did they would blush for shame. It sometimes makes me boil over with indignation when I hear the phrase used. I remember within a few days past the opening of a new disorderly house on Delancey street with special displays and attractions. We got word that there was to be one of those houses opened up in Delancey street, and after watching it for a while we noticed that they strung a lot of Chinese lanterns, and above that a banner wth the word "Welcome" and "Grand opening." Across the street. I don't remember the date it was to be opened

up upon, but that evening they had a grand blow-out and it was all illuminated. We visited that about two days afterward. I believe you have taken a photograph. I did see in that place immortal and disgusting acts of the character I have been generally describing.

Q. Is the proprietor of that place a man who has been notorious for keeping such resorts along the Bowery? A. What they call the manager of the place. He had a place on the Bowery. I understand he had to get out of the city.

Mr. Moss—I shall not ask you any further questions nor shall I ask other witnesses upon this line. There is a disgusting amount of such testimony.

By Mr. Hoffman:

Q. One or two question. Have you long been acting as the employee of the Parkhurst society? A. No, sir.

Mr. Hoffman—This society that employs you?

Mr. Moss—He did not say it was for the society at all. He was a trustee——

The Witness—An officer of the City Vigilance League.

Q. How long have you been such an officer? A. To the best of my recollection, about five years.

Mr. Hoffman—You have made reference here to a place called Paresis Hall. That place was in existence in 1897, was it not? A. I think in the latter part of 1897 it came into existence.

Q. Is it not true that it came into existence right after the passage of the Raines Liquor Tax Law in 1896? A. Not to my knowledge. The latter part of 1897, I think, ot came into existence. Somewhere along in December. Somewhere about that time.

By Mr. Moss:

After the election?

By Mr. Hoffman:

I have not seen any book which was written by one of the police commissioners in the police department, some time either during 1895, 1896 or 1897, in which special reference was made to this place called Paresis Hall. I never heard of any such book I do not know that such a book was written by one of the police commissioners.

The Chairman—He says he never heard of it.

The Witness—I never heard of it. I don't know anything at all about it.

Q. You have made reference here in the testimony which you have given, to comparisons which you have made, and you styled everything "robbery" cases. Do I understand you to mean that the word robbery, as used by you, implied all kinds of thefts? A. I used the word "robbery" wherever it was used in the police records. That is the style that they put it. I did not make any statement showing the number of arrests for robbery during the year 1895. I did not make any such statement which would show the number of robberies committed during the year 1896 or during the year 1897.

Q. Have you seen the report which has been issued recently by the police department of the city of New York?

The Witness—On what subject?

Mr. Hoffman—In reference to arrests made in the department?

A. I have tried to get some reports, but failed signally to get any reports. I haven't seen any reports lately.

Q. Have you seen any report in which it was stated by the police department that there were upwards of thirty thousand ar-

rests in the past year in the greater city of New York? A. No, sir. I did not see any such report.

Q. As to these statements that you have made up, which you have read here with reference to robberies: That includes the entire greater city of New York, does it not? A. The eighty precincts of the city.

Q. You have not made up a comparative list for the years 1895, 1896 and 1897 in the five bououghs constituting the Greater City of New York, for the same thing, have you? A. No, sir, they were not the Greater city then.

Q. But you did not go, for instance, to the borough of Brooklyn and get the lists of arrests which were made in 1895, 1896 or 1897? A. No, sir.

Q. And you did not go to the old county of Richmond? A. I did not touch any police books in any year previous to 1898.

Q. The only book you examined was the book showing arrests for burglary in 1893, down to the present time? A. I did not say anything at all about arrests.

Q. Of robberies? A. Yes, sir.

Q. You have also stated that the persons visiting concert gardens on the east side ranged from ten to thirty years, did you not? A. Not alone the east side, but all over the city.

Q. You say that generally, or do you say that is especially the case or only in some instances? A. It is general. I found it all over—all these concert halls.

By Mr. Moss:

Q. What kind of place do you refer to that? A. And often where they will have a saloon in front and a larger or smaller back room. They will have music, either a piano—it is generally a piano. Sometimes a piano and violin. These places will have a side entrance alongside of the saloon, where these women come in. There will be women and men visiting these back rooms, and they have dancing and singing and drinking. Men and women sit around the tables, drinking and smoking. The women smoking cigarettes and the men smoking all sorts of things.

By Mr. Hoffman:

Q. Do you know as a fact, since the passage of the so-called Raines liquor tax law, that that law has been the means of opening up more dens of vice throughout the Greater City of New York, and the old city of New York, than all the laws heretofore passed by the legislature of this city, combined? A. I don't know that the Raines law itself did it, but the interpretation put upon it no doubt created that condition.

Q. Do you not know that places like Paresis hall and The Allen's place, and other dens of vice, were closed up prior to the passage of the liquor tax law in 1896, and that after the liquor tax law came into operation all these places applied for and received a liquor tax certificate, and opened and did business, and have since done business under the authority of the laws of the State of New York? A. The apparent main object that Paresis hall was organized for, and opened up for, did not exist at that time to the extent that it has done the last eighteen months. I never knew of Paresis hall, as I said, until December, 1897.

By Mr. Moss:

Q. Is there anything in the Raines law that permits dancing of the rag time, or any of those acts that you have described? A. I haven't seen it in the Raines law.

By Mr. Hoffman:

Q. Does not the Raines law provide that any person that has the possession of $800, and is willing to ask for a liquor tax certificate, is under that law entitled to receive a certificate allowing him to carry on the liquor business in the State or the city of New York? A. In the guise of a hotel.

Q. In any guise? A. They allow them to run a Raines law hotel, but the building department see that the requirement——

Q. I ask you——

The Chairman—Be fair. He has answered your question.

The Witness—I have told you what I know.

The Chairman—You answer the question in such a way as you think is proper.

Mr. Hoffman—Did you know that it is the law to-day in the State that any person can receive a liquor tax certificate upon the payment in the city of New York of $800 therefor? A. I suppose they can get a license, if they want to pay $800, the way the authorities of the city have interpreted that law.

Q. Is the excise department under the State or under the city government? A. I presume it is under the State. If you have reference to the State authorities.

Q. The city authorities have nothing to do with the issuing of the liquor tax certificates, have they? A. I guess they have, indirectly.

Mr. Hoffman—I will leave the answer stand uncorrected.

By Mr. Moss:

Q. What do you mean by that? We will elaborate that answer a little. You say you think the local authorities have something to do with the way the Raines law operates, by the way they interpret it? A. Yes, sir.

Q. By what they permit people to do under it? A. Yes, sir.

Q. For instance, if under the cover of a liquor tax certificate a place is allowed to exist where male prostitution is the principal business, do you mean that that is an illustration of what you say? Do you mean that the local authorities permit it to exist so? A. Yes, sir; that is so; and the Sunday violation of the excise law.

Q. Have you seen a great many places where the plain requirements of the Raines law are disobeyed? A. Yes, sir.

Q. Such as what? A. Any Sunday you can go in any part of the city and see men standing up alongside of the bar. You can see them lined up like soldiers, which is a direct violation of the hotel law.

Q. And that you say is permitted by the city authorities? A. They can see it, unless they are blind. They can see it right over the obstructions they have in the windows.

Q. That is only one of many kinds of violations that are connived at by the local authorities? A. That is right. They have an old white canvass piece across the front door in West street. They push it aside and go right in.

Q. That is so common a thing that they hardly pay any attention to it? A. They hardly pay any attention to it. Everybody knows that.

By Mr. Hoffman:

Q. Do you know of any actions that have been commenced by the State Commissioner of Excise, Mr. Lyman, for the recovery of bonds for the violation of law upon the issuance of a tax certificate to a saloon keeper in this city, where a bond was given by the Platt Surety company? A. I don't know anything at all about the Platt Surety company.

Q. You have never heard of it? A. I heard of it here.

Q. But never before you heard it here? A. No, sir; to tell you the truth, I did not.

Q. Never until you heard it here? A. Never until I heard it in the committee room.

Q. Do you know how large a bond a person applying for a liquor tax certificate must give, under the liquor tax law? A. To tell you the truth, I have been so disgusted with the excise law, the way it is enforced in the city here, I haven't paid any attention to it except as I see it in the streets, violating it.

Q. How long have you lived in the city of New York? A. I have only lived in the city about thirty-two years.

Q. Have you been through the state during the past three or four years? A. No, sir; I haven't had that pleasure, to go up any further than White Plains, in the last three years.

Q. You have never been up in St. Lawrence county? A. No, sir.

Q. You have never been up in Albany county? A. No, sir.

Q. You have never been in Cattaraugus county? A. No, sir. I don't know what they do up there.

Q. You do not know what they do there? A. No, sir; I haven't had money enough to get up there.

By Mr. Moss:

Q. While we are talking about these matters, since Mr. Hoffman opens up so many subjects—you spoke about the police not interfering with the saloons, where the violation of the Raines law is perfectly clear. Have you, as an officer of the league, and as an employee of this committee, carefully observed the attention of the police officers to their duties within the past few months particularly? A. Yes, sir.

Q. Have you taken special notice of those things and made special reports on that subject?

The Witness—The dereliction of police officers?

Mr. Moss—Yes.

The Witness—Yes, sir.

Q. And particularly about patrolling? A. Yes, sir.

Q. Have you covered large sections of the city at night? A. Yes, sir.

Q. And at such times have you found an absence of policemen patrolling? A. Yes, sir.

Q. Will you give me illustrations of it? A. Well, there are two posts on Broadway. I can give you a trip that we made one morning, if you care to have that. One morning we started about four o'clock to cover a certain section of the city—the downtown portions particularly. We started at four o'clock and walked over two posts, in the 16th precinct. Those two posts were two short ones; one was from 14th to 12th street on Broadway. We found no officer at all. From 12th street to 8th street was another post upon which there was no officer. We then walked through 8th street to Mercer, and walked through Mercer from 8th to Houston, which is at least one post, and possibly two;

that I am not clear on. We found no officer there. We then walked through—continued on down Mercer street to Canal. In that space of territory we found one officer, and he was in the 10th precinct. We then went through Canal to Broadway and walked down Broadway as far as Wall street. As we went down we walked a block or so down on each side of the street to West Broadway. We saw no officer in that territory except at the corner of Broadway and White street. We saw an officer standing there talking to a woman. This was about quarter of five in the morning. We then went through Ann street to Nassau. As we crossed Nassau at Fulton street I saw six officers in a bunch, just east of Nassau street, on Fulton. Continuing on down Nassau street, the friend who was with me suddenly grabbed me by the arm, and I turned to see what was the cause of his sudden movement, and there was an officer sitting at my feet reading a newspaper. If I had gone another step I would have fallen over him. He kept on reading the newspaper and I kept on walking. We got down to Wall street.

By Mr. Hoffman:

Q. Did you get the number of that policeman? A. No.

Q. Why did you not stop to take his number? A. What is the use of pounding the poor man on the sidewalk? That is the way I look at it. He is not to blame. If his roundsman and sergeant were doing their duty, he would not have been doing that.

Q. Have you not testified upon the witness stand here concerning other officers whose names you gave? A. Yes, sir.

Q. In this particular instance you did forget to take his name? A. I didn't forget it at all. The time I testified was in a case of bribery.

Mr. Moss—Go on.

The Witness—We walked then on Wall street to Broad street. This was quite some time ago. I have got to think a little of this. We saw an officer there standing talking to several watchmen. That was all right. We then walked down Broad street

as far as Stone street; saw but one officer. We then walked past Old Slip station to South street, and from South street to Wall. As we came up Wall on the corner of Water street I saw there four officers alongside of a rail—the railing over a stoop. Then on the opposite side of Wall street was another officer, and on the opposite side of Wall street was another officer—six in all.

Q. Standing in how small a space were the six? A. Two corners. There were two dogs and three cats having a fight, and these officers were enjoying it.

By the Chairman:

Q. Have you not testified to this matter before? A. Yes, this one matter; but I have got to follow this particular route to keep the connection. We then came up to the neighborhood of the office and stopped.

By Mr. Moss:

Within a few days past I watched the Criminal Court building at about half-past five in the morning. Two officers came out on the northerly side of the building. I don't know whether it is Franklin street or White street—the north side of the Criminal Court building—and go over towards the station house. We followed on and found three officers on the corner of Baxter and Franklin. They were what we call "beating" it in. On the opposite corner, corner of Bayard and Mulberry, we found two others. As they were coming out of the Criminal Court building these officers acted as though they thought somebody might be watching. There was a man came out. I presume he was one of the employees. I am not sure of that. They had all the appearance of having just waked up. I didn't see any yawning. I have had similar reports from the gentlemen connected with the office upon that same subject.

Q. So that what you have testified is simply a sample piece of what might be elaborated in much testimony? A. Last night, as I was coming home, in the neighborhood of twelve o'clock, I saw an officer coming out of a saloon on the Bowery with a

woman, and he looked up and down the street to see if there was anybody around, and he went on down his post swinging his club all right.

By Mr. Boland:

The long trip I spoke of was some time during the summer. I can't give it to you now, but I can by looking at the records in the office.

Q. Do you do that regularly for this vigilance society you speak of?

The Witness—The early morning trips?

Mr. Boland—Yes.

The Witness—No, sir. I have got business to attend to. It is in the regular line of my work.

Q. Was it in the interest of the vigilance society? A. Partly. Do you mean I am still in the interest of it?

Q. Was your trip in that interest? A. No, sir; it was not. It was in the interest of this committee. I was out on work that night, and that was a part of the work, and I did it.

Q. Have you been all along in the employ of this committee? A. Since the 1st of April, yes, sir.

By Mr. Hoffman:

Q. Who employed you? A. Mr. Moss.

Q. So that Mr. Moss and not the committee has employed you? A. All I know is Mr. Moss. We act under the instructions of Mr. Moss.

Q. How long did it take you to make this trip?

The Witness—The long trip?

Mr. Hoffman—Yes.

The Witness—About two and a half hours or two and three-quarter hours, or something like that.

Q. Is that the only trip you made that took you two and a half hours? A. On that special subject.

Q. Upon any circuit, as to this particular work? A. Oh, no, the work of this committee——

Mr. Moss—He means, where you have observed lax patrolmen.

The Witness—That is the most.

By Mr. Moss:

Q. Have you made similar observations at other times, the Assemblyman asks you? A. I am looking out for such things.

By Mr. Hoffman:

Q. How long have you been on the lookout? A. Ever since I have been employed by the committee—since the 1st of April of this year. My instructions and the instructions of all the boys in the office is to always keep their eyes open. I have kept my eyes open—sometimes twenty and twenty-two hours a day.

PATRICK J. MULLIGAN, being duly sworn, testified as follows:

Examined by Mr. Moss:

My number is 3398. The precinct, 13. Some citizen found the subpoena on the street this morning and brought it to the station house. And then the captain detailed me to bring it to your office. And then I was requested to take it to Colonel Gardiner. I did do so. I went down to the distict attorney's office and couldn't find the Colonel; so I gave it to one of the assistants and he would not receive it. It was Mr. O'Reilly. He said he knew nothing about it. I have got the paper here now. They would not take it there.

Mr. Moss—I will have it marked for indentification.

(The subpoena was marked "For identification Exhibit J, November 3, 1899.")

DR. JAMES G. PATTERSON, being recalled and further examined, testified as follows:

Examined by Mr. Moss:

I gave some figures concerning robberies, shown in the books of the detective bureau, a few days ago. That was only for 1898. The number of cases appearing in the books of the Central office, of reported robberies, for the first half of 1898, are 1,217. For the second half, 1,610. Thirty-two per cent. of increase. The total amount involved as I have figured it for the first period is $344,976.72. For the second period of 1898, $238,161.56. That was an apparent decrease in amount, but an increase in the number of cases. For the first half of 1899, the number of robberies — the number of complaints entered, 1,383. The amount involved as entered on the books, $257,637.51. And the amount including the estimates, $388,069.01. The total amount involved as lost, estimated as lost, for the first period, the first six months of 1898, is $510,407.12; second, $386,538.11; third, $388,069.01. Making a total of $1,285,014.24. The number of cases reported —that is, complaints entered for the first period—1,217. Second, 1,610. Third, 1,383. Making a total since the first of January, 1898, of 4,210. There has been an increase in the stealing of watches the first period—that is, taking the instances in which watches have been stolen; not the actual number of watches stolen, 366. Second period, 699. Third period, 525. In round numbers there is an increase in the second period over the first of 333 or 90 per cent. of stealing watches, and between the first and third periods there is an increase in round numbers of 159 or 43 per cent. That indicates a growth of pickpocketing. There is a total increase of 133 per cent. for the 18 months, or the three periods in that item. I have seven other classes of property treated in the same way. They show the same ratio of increase. Diamond jewelry, other jewelry, silverware, cash and bonds, clothing and miscellaneous property. It includes

the whole. So that there is a large apparent increase in the number of cases shown upon the books of the detective bureau. The increase for the entire period, covering all these classes of property, is 40 per cent. for the entire 18 months. You haven't brought out the point in regard to crime. That is another division of the subject altogether. The point with regard to crime and the various classes of crime is classified as follows: Pickpockets, larceny, burglary, swindle, robbery, murder, total. The second period over the first, increase in pickpockets, 314, or 95 per cent. Larceny 7, or one per cent. Burglary 36, or 27 per cent. Swindle 49, or 29 per cent. Robbery 19, or 158 per cent. Murder, one less case, which would make 33 per cent. less. So that the total period is 36 per cent. of an increase in the various classes of crime between the first and second periods. Between the first and third periods it stands in this way: Pickpockets, 288 of an increase. Larceny, 112 of a decrease. Burglary 27, decrease. Swindle 35, increase. Robbery 9, decrease. Murder 3, decrease. Making a total increase of 172; or, in per cent., a total increase of 14 per cent. for the period. That is, taking the first period as the basis of calculation in both instances. The rate for the entire three periods is as follows in per cent: There is an increase in pickpockets for the entire period of 183 per cent. A decrease in larceny of 25 per cent. Burglary, an increase of 7 per cent. Swindle, an in crease of 50 per cent. Robbery, an increase of 125 per cent. Murder, a decrease of 333 per cent., that is, there were no murders. Making a total increase of these various classes of crime over the period of 18 months of 50 per cent. of the various classes.

(The following are copies of the papers offered in evidence by Mr. Moss):

Table No. 3.—Showing Comparison in Valuation of Each Class of Property Stolen, Recovered and Finally Lost.

	Lost.	Recovered.	Finally lost.	Recovered.	Lost.
	Watches.			Per cent.	Per cent.
First period	$38,051	$3,840	$34,211	7	93
Second period	68,720	7,905	60,815	10	90
Third period	61,386	3,701	57,685	4	96
Totals	$168,157	$15,446	$152,711	9	91
	Diamond Jewelry.				
First period	$88,071	$6,075	$81,986	6	94
Second period	101,380	10,552	90,828	9	91
Third period	107,350	20,935	86,415	18	82
Totals	$296,801	$37,562	$259,239	12	78
	Other Jewelry.				
First period	$14,777	$1,308	$13,469	7	93
Second period	4,209	13	4,296	.03	99.97
Third period	2,897	55	2,842	1	99
Totals	$21,985	$1,376	$20,607	4	96
	Cash and Bonds.				
First period	$293,949	$97,772	$196,176	33	67
Second period	130,755	870	129,885	.06	99.94
Third period	139,624	.....	139,624	.....	100
Totals	$564,328	$98,642	$465,686	17	83
	Other Property.				
First period	$61,374	$10,155	$51,218	16	84
Second period	84,020	9,594	74,425	10	90
Third period	76,810	4,400	72,340	5	95
Totals	$222,204	$24,419	$198,055	10	90
	Total Valuations.				
First period	$511,407	$118,582	$391,824	23	77
Second period	386,538	27,984	385,553	7	93
Third period	388,069	28,991	359,078	7	93
Totals	$1,385,014	$175,558	$1,109,456	13	87

Per Cent. of Various Classes of Property—Entire Time.

	Recovered.	Finally lost.
	Per cent.	Per cent.
Watches	9	91
Diamond jewelry	12	78
Other jewelry	4	96
Cash and bonds	17	83
Other property	10	90
Totals	13	87

Showing Recoveries and Losses in Relation to Salaries.

	Salaries.	Recoveries.	Per cent.	Losses.	Per cent.
First period	$99,325	$118,582	119	$391,824	390
Second period	99,325	27,984	27	385,553	388
Third period	99,325	28,991	28	359,078	362
Totals	$299,975	$175,558	58	$1,109,456	373

Value of Property Listed "Recovered" on Complaint Book But Not Appearing on Property Book—For Three Periods of Six Months Each.

First period	$44,950 00
Second period	7,360 00
Third period	20,638 00
Totals	$72,968 00

Table No. 1.—Showing Comparative Increase of Crimes Specified, Property Stolen, and Cases Lost—Increase of Classes of Crime Specified Between First and Second Periods.

	Complaint entered.	Officers assigned.	Pick-pockets.	Larceny.	Burglary.	Swindle.	Robbery.	Murder.	Total.
Whole numbers	+393	+409	+314	+7	+36	+49	+ 19	− 1	+423
Rate per cent	+ 32	+ 36	+ 95	+1	+27	+29	+158	−33	+ 36

Increase of Classes of Crime Specified Between First and Third Periods.

Whole numbers	+166	+176	+288	−112	−27	+35	−9	−3	+172
Rate per cent	+14	+15	+88	−26	−20	+21	−33	−300	+14

Rate Per Cent. of Increase or Decrease for Entire Third Period.

	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.
First and second periods	+32	+36	+95	+1	+27	+29	+158	−33	+36
First and third periods	+14	+15	+88	−26	−20	+21	−33	−300	+14
Totals	+46	+51	+183	−25	+7	+50	+125	−333	+50

Classes of Property Stolen—Increase or Decrease Between First and Second Periods.

	Watches	Diamond jewelry.	Other jewelry.	Silver-ware.	Cash and bonds.	Clothing.	Miscel-laneous.	Totals.
Whole numbers	+333	+28	—4	+5	+42	—21	+67	+450
Rate per cent	+90	+12	—5	+14	+13	—13	+30	+32

Increase or Decrease Between First and Third Periods.

Whole numbers	+159	+43	—5	+2	—50	—22	—6	+119
Rate per cent	+43	+18	—6	+6	—16	—14	—2	+8

Total Increase or Decrease for Entire Three Periods.

	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.
First and second periods	+90	+12	—5	+14	+13	—13	+30	+32
First and third periods	+43	+18	—6	+6	—16	—14	—2	+8
Totals	+133	+30	—11	+20	—3	—27	+28	+40

SHOWING CLASSES OF CRIMES REPORTED FOR THREE PERIODS.

Crimes Specified—First Period, January–June, 1898.

	Complaint entered.	Officers assigned.	Pick-pockets.	Larceny.	Burglary.	Swindle.	Robbery.	Murder.	Totals.
1898									
January	211	185	37	105	31	35	5	1	214
February	182	165	54	81	14	24	2	.....	175
March	203	196	50	86	31	32	.....	.....	199
April	184	178	44	88	17	24	3	.....	176
May	204	188	68	77	23	23	1	2	194
June	233	218	75	112	17	27	1	.....	232
Totals	1,217	1,130	328	549	133	165	12	3	1,190

Crimes Specified—Second Period, July–December, 1898.

1898.									
July	252	244	84	97	34	34	11	2	262
August	211	198	79	90	20	19	5	.....	213
September	268	257	98	88	36	34	4	.....	260
October	301	287	130	93	22	49	4	.....	298
November	302	289	139	99	25	38	2	.....	302
December	276	264	112	90	32	40	5	.....	279
Totals	1,610	1,539	642	556	169	214	31	2	1,614

Crimes Specified—Third Period, January–June, 1899.

1899.									
January	262	255	117	76	15	46	2	.....	256
February	230	223	95	77	17	36	1	.....	226
March	217	202	88	70	25	33	.....	.....	216
April	250	232	131	73	18	25	.....	.....	247
May	237	217	105	77	19	33	.....	.....	234
June	187	177	80	64	12	27	.....	.....	183
Totals	1,383	1,306	616	437	106	200	3	.....	1,362

SHOWING CLASSES OF PROPERTY STOLEN FOR THREE PERIODS.

Property Stolen—First Period, January–June, 1898.

	Watches.	Diamond jewelry.	Other jewelry.	Silverware.	Cash and bonds.	Clothing.	Miscellaneous.	Totals.
1898.								
January	51	40	18	8	48	38	41	244
February	59	25	12	4	47	28	28	203
March	45	51	13	7	49	21	41	227
April	44	39	11	4	51	19	30	198
May	70	40	12	4	51	29	33	239
June	97	39	13	7	57	16	48	277
Totals	366	234	79	34	303	151	221	1,388

Property Stolen—Second Period, July–December, 1898.

1898.								
July	101	43	8	5	61	14	56	288
August	95	39	13	2	46	11	40	246
September	124	31	11	10	60	17	46	299
October	131	42	10	4	78	22	50	337
November	143	60	16	7	48	33	47	354
December	105	47	17	11	52	33	49	314
Totals	699	262	75	39	345	130	288	1,888

Property Stolen—Third Period, January–June, 1899.

January	97	45	10	7	47	27	46	279
February	90	45	13	6	36	20	43	253
March	73	45	14	3	44	21	43	243
April	117	55	12	10	38	29	20	281
May	78	54	14	4	52	18	35	255
June	70	31	11	6	36	14	28	196
Totals	525	275	74	36	253	129	215	1,507

Showing Comparison for Three Periods in Total Valuations of Property.

FIRST PERIOD, JANUARY-JUNE, 1898.	Values entered.	Values estimated.	Values recovered.	Values finally lost.
Watches	$490 00	$38,051 00	$3,840 00	$34,211 00
Diamond jewelry	26,651 00	88,071 00	6,075 00	81,996 00
Other jewelry	2,711 75	14,777 75	1,308 00	13,469 75
Cash and bonds	293,949 14	293,949 14	97,772 70	196,176 44
Other property	21,135 83	61,374 33	10,155 75	51,218 80
Totals	$344,976 72	$510,407 12	$118,582 70	$391,824 42

Second Period, July-December, 1898.

SECOND PERIOD.	Values entered.	Values estimated.	Values recovered.	Values finally lost.
Watches	$9,297 00	$68,720 00	$7,905 00	$60,815 00
Diamond jewelry	39,503 00	101,380 00	10,552 00	90,828 00
Other jewelry	1,159 00	4,309 00	13 00	4,296 00
Cash and bonds	130,755 51	130,755 51	870 00	129,885 51
Other property	57,685 30	84,020 02	9,594 32	74,425 48
Totals	$238,161 56	$386,538 11	$27,984 32	$358,553 79

Third Period, Jan.-June, 1899.

Watches	$8,610 00	$61,386 00	$3,701 00	$57,685 00
Diamond jewelry	56,240 84	107,350 84	20,935 00	86,415 84
Other jewelry	882 00	2,897 00	55 00	2,842 00
Cash and bonds	139,124 28	139,624 28	.....	139,624 28
Other property	49,780 30	76,810 71	4,400 00	72,340 80
Totals	$257,637 51	$388,069 01	$28,991 00	$359,078 01
Grand totals	$840,775 79	$1,285,014 24	$175,558 02	$1,109,456 22

Comparison of Periods as to Rate % Recovered and Finally Lost.

	Lost.	Recovered.	Finally lost.	Recovered. %	Finally lost. %
First period, Jan.-June, '98	$510,407 12	$118,582 70	$391,824 42	23	77
Second period, July-Dec. '98.	386,538 11	27,984 32	385,553 79	7	93
Third period, Jan.-June, '99.	388,069 01	28,991 00	359,078 22	7	93
Grand totals	$1,285,014 24	$175,558 02	$1,109,456 22	13	87

JESSE S. EPSTEIN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am a lawyer. I was concerned with the case of The People against David Levy.

Mr. Moss—I offer for identification the indictment in that case. David Levy and Jennie Levy are the defendants. Filed October 12, 1898. It is for misdemeanor under section 587 of the Penal Code.

(The indictment is marked "For identification Exhibit P. Nov. 3, 1899.")

The Witness—Jennie Levy conducted a store on East Broadway, and her brother, Moses Levy, also conducted a store. Jennie Levy's husband was David Levy. Both concerns failed at the same time and on the same day. It was a simultaneous failure. They closed up the store and moved everything out. We represented several very large creditors that were very much incensed over the matter, and at their instigation we secured the indictment. I do not know on which particular claim they were indicted, but either was of considerable magnitude, because they owed in the city of New York about $50,000. Herman Hahlo & Co. were creditors of both the Levys. The amount involved in this case was $2,500. That was the particular debt that they owed Hahlo. But there was involved in this whole matter about $50,000. This is about what the Levys owed.

Q. A number of prominent houses had been victimized by this fellow? A. I know particularly of the houses we represented. There were several. H. Hahlo & Co., Fleithan & Co., Boesnick, Brazl & Co., Louis Cassel, Hirsch & Linges. Those I represented.

The Chairman—What is the date of this indictment?

Mr. Moss—October 12, 1898. The papers show stamped indorsements, the dates on which the cases appeared on the calendar, as

follows: April 11, 1899, April 21, 1899, April 24, 1899, April 27, 1899. That is four times.

Q. Do you know of any other occasion when the case was on the calendar? A. Those were the dates, all after the indictment, I assume. The indictment was in 1898 and this was in April, 1899. I have no knowledge of its being on any other time. I did not have full notice when this case came on the calendar to get my witnesses. There were a great many witnesses necessary for the purpose of proving the fraud, because, while they are charged in the indictment with a specific fraud, still it would be necessary, to make the case, to prove the fraud in all instances of procuring the merchandise by fraud and fraudulent representations to the various concerns, and the disposition of the property. It would be necessary to prove where the property has been shipped. We had ascertained all that before we procured the indictment, together with the fact that they immediately absconded. They went to a place in Pennsylvania where we ourselves, at our own expense, located them, and then had them brought back after the indictment. Some property was found in this place in Pennsylvania—a place just outside of Pittsburg. Jefferson, I think. All the notice we received was the night before, to appear the next morning. They pushed the case on. We had to go there and personally press the matter to be adjourned, because it could not be presented in the shape it was in.

By the Chairman:

It was not my business to get the witness; but it was my interest, my client's, to prosecute this man. They had spent considerable money, and we wanted the matter properly presented. Of course they treated us very courteously at the district attorney's office; except for the fact that if it had been presented on those occasions the men would have been discharged.

By Mr. Moss:

The proper witnesses were not subpoenaed. The district attorney's office to-day does not know who the witnesses are.

Q. On the back of the indictment are the names of two witnesses, Julius Hahlo and Ephraim Samuels You say there were a great many more? A. Those two witnesses were all that were necessary to present to the grand jury to procure the indictment. But for the trial of the case we needed more. I should say so.

By the Chairman:

If that case were to be tried to-day there would not, in my judgment, be any chance of securing a conviction. Not with those two witnesses.

By Mr. Moss:

I did not ask the district attorney, by written communication, to get ready for the case and offer to help him; not by written communication. At the time the case came up Mr. Hahlo came to my office with a subpoena; the night before it was served, about five o'clock. The next morning I went to the district attorney's office and told him it would be absolutely impossible to try that case, and recited the facts to one of the assistants, I do not remember whom—which ever one had the case that morning, where the case came up—and the matter was adjourned. I told them to give me time to prepare it. The indictment was found in October, but I do not think they were apprehended under the indictment until some time after that. Well, we were obliged to procure—first, to locate them, and then procure a requisition, and that took some time. These people were found in Pennsylvania. Officers did have to go out there to get them. My brother went with the officers.

Q. Did it cost you or your client anything? A. Well, our necessary expenses. I paid nothing to the district attorney's office to assist in the expenses. The county paid for the procuring of the requisition and sending the officer there to bring them back and still the thing remains untried.

By Mr. Hoffman:

I did not at any time communicate, either in writing or in personal interview, with Colonel Gardiner, the district attorney. I

stated the district attorney's office has always treated me courteously in the matter. Very much so. We have no complaint to find about that.

Q. Where was the complaint first lodged upon which this indictment was based? In the police magistrate's court? A. I believe we went to the district attorney's office and he refused to interfere and said it was the business of the magistrate. We went to the magistrate and procured a warrant, and then made affidavit that the defendants had absconded, or were without the jurisdiction of the magistrate's court, and testified where they were located. Then the matter was sent to the district attorney's office and the indictment procured.

EMMA F. BUTLER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I have a case pending in the court of general sessions against a man named Orlando B. Hackett. That case has been pending since last April—the 1st of April, 1899. Down at the general sessions—we have not been before the grand jury.

Q. In the court of general sessions: How many times have you been there since the 1st of April? A. I don't think I have been—just to find out about the case, I have been two or three times down there. I have been subpoenaed to attend court. I have gone to court under subpoena once. At the time of the grand jury—that is all I have been subpoenaed. Only to the grand jury. I gave Hackett bonds to sell and invest for me. In the first place, I asked him to sell one bond for me, a Chesapeake & Ohio bond. He said that he would invest that in good security, in real estate. Then he came to me and gave me $50 on that, saying he had invested it and gave me a bonus on the amount. Then he came and said C. C. Cuyler, of Cuyler, Morgan & Company, told him that those bonds were not of any account; that if I did not sell them out in January and December the thing would be worthless to me—if I didn't get rid of them then;

they were then 90 and 91; and he sold them out. He said he would invest that money in real estate for me. I had the receipts, and he sold them in his own name, telling me that Mr. Cuyler would be more apt to sell them quickly if he sold them in his own name than in mine. He gave me receipts for the bonds. Then he told me he had invested in some real estate for me, and I never could get him to say what he did invest it in, or any security. So I went to my lawyer, and he asked him if he would give me the security or money. He told him he would not. After he was arrested and was out on bail, he sent Mr. Thaxton to me and said he would give a three-thousand-dollar life insurance policy, and also a chattel mortgage on his furniture, and pay off the amount if I would not do anything more to him; if I would withdraw my case. Of course my lawyer said no such thing could be done. I know that man swindled other persons. Certainly he has. He has in Boston. He was a well-known swindler.

Q. Do you mean to say that although an indictment was found last April against such an infernal swindler as that, you have never been called down to court? A. No, I have been down and tried to find out. They always told me that this case had to be put off. I saw Mr. Blumenthal, for one. Then I saw Mr. Unger. Then he told me I would have to write to Mr. Gardiner; I must write a strong letter to Mr. Gardiner. I did not write him, because I was told not to write, by somebody else. A friend of mine said that I might better not write to Mr. Gardiner. It might be bad for my case if I did, so I didn't know what to do. He didn't know Mr. Gardiner. I received a letter from Mr. Gardiner last June, saying that he would forward the case. He wrote that letter because my husband wrote him, and he asked him if he would not please hurry the case. My husband wrote in May, and then we got this letter.

The following is a copy of the letter:

"District Attorney's Office, City and County of New York,

"June 25, 1899.

"Prof. R. H. Butler, 209 West 107th street, city:

"Dear Sir.—I have to acknowledge receipt of your favor of the 19th instant, requesting to be informed whether the case against O. J. Hackett, wherein you are complainant, will be further proceeded with.

"The defendant has been admitted to bail, and in view of the approaching vacation season it is the desire of the grand jury and of this office to first consider and dispose of prison cases, but if other extraordinary business does not intervene, I expect to have the Hackett case submitted to the grand jury during next week.

"I am, dear sir, very respectfully,

"Your obedient servant,

"ASA BIRD GARDINER,

"District Attorney."

The Witness—The case has never appeared in the court room not as yet.

By Mr. Hoffman:

Q. Have you an attorney looking after your interests? A. I had a Mr. Roulett, who is a real estate lawyer—not a criminal lawyer. I have not begun an action against this man Hackett to recover back the money he swindled me of.

Mr. Moss—I cannot offer the indictment because it is in that lot of indictments that are supposed to be on the way down.

Mr. Hoffman—It would appear from the letter you just read that at the time the lady communicated with Colonel Gardiner, no indictment had been found against this man?

Mr. Moss—No, of course not; but she said the case had been presented in April.

The Witness—I called the attention of the court——

Mr. Fallows—Mrs. Butler's mother-in-law is here and says she has also an indictment against the same man, that has not been tried yet.

Mr. Moss—In the absence of papers I have had to feel my way along.

HANNAH BUTLER, being duly sworn, testified as follows:

Examined By Mr. Moss:

I have also an indictment against this man Hackett. I think that indictment was obtained in September this year. The two indictments came at the same time. There was not any indictment until September.

The Chairman—Perhaps Mrs. Butler does not understand the term "indictment." When did you appear before the grand jury? Do you remember that?

The Witness—To the best of my opinion it was the 15th of September.

Mr. Moss—That is all. You will notice that the letter from Mr. Gardiner says that he would submit it to the grand jury, but that inasmuch as the summer vacation was coming on, and they wanted to attend prison cases, he was not particularly disposed, as I recall the letter, to submit it then?

Mr Hoffman—Which case did he write about? Was this lady's case, or the lady who preceded her?

Mr. Moss—This is addressed to Professor Butler.

Q. Was this with reference to your case? A. Yes, sir.
Q. This referred to your case, did it? A. Both cases together.
Q. They were together, were they? A. Yes, sir.

Q. Here is a letter written in June, 1895, and the previous witness says that Prof. Butler's letter was written in May? A. That is right.

Q. Professor Butler wrote away back in May. Colonel Gardiner answered it in June. It is not until the 15th of September that you go before the grand jury? A. That is right. We live in the same house, and were called together. The matter was laid before the magistrate in the police court; perhaps it was April. I am not sure about that. I think it was March. The case was not held before the magistrate very long. He said it was not necessary. He said he was a perjurer, just then. I am sure that he called him a perjurer. He said the case was too simple to detain it long. It was plain and simple. I was once before the magistrate. I am expecting to be called all the time.

GEORGE P. FOLTZ, being duly sworn, testified as follows:

Examined by Mr. Moss:

Q. You are the complainant against Paul Salvin, for receiving stolen goods, are you not? A. Well, Mr. Moss, I can't say that I am the complainant.

Q. How is that? A. If I am allowed to make a little statement I can tell you.

Mr. Moss—Surely; go ahead.

The Witness—I think three years ago last November I took the car at Forty-second street to go to Fifty-ninth. Between Forty-second and Fifty-third I had this watch stolen; and that was on Friday night. Monday afternoon I gave a description of the watch, and sent my bookkeeper up to detective headquarters, and Tuesday morning before I got to my office the detective came around and had my watch. I walked up and he said this was my watch. He said he found it on Salvin; arrested him on suspicion, and found this watch on him. He was a notorious man. So the detective said. I was then subpoenaed

to Jefferson market, before the judge there, and asked to make out a complaint. I made the same statement to the judge, and he said I could not make out any statement that he could see, and he ordered the detective to give me my watch. Later on I was subpoenaed before the Grand jury and made just this statement. I was satisfied that this man Salvin was not the man, because I would have easily recognized him. He was not the man that stole the watch, because he was not on the car. The case was one of receiving stolen goods. That is the charge. This watch the detective found on this man. So he said. He was indicted afterwards. I think I attended court on that indictment four times. I had to attend each time from twenty minutes to an hour. I don't know that the case was discharged. I do not know it now.

Mr. Moss—The case was discharged, or at least the defendant was discharged on his own recognizance, on the 15th of November, 1898. You never knew that until to-day?

The Witness—No, sir. There was no consultation with me about it.

PART XI, SUPREME COURT, COUNTY COURT HOUSE,

NEW YORK, *November* 27, 1899, 10.30 o'clock A. M.

The committee met pursuant to notice.

Present: Mr. Mazet (the chairman), Mr. Fallows, Mr. Wilson, Mr. Costello and Mr. Hoffman.

Mr. Moss—Mr. Chairman, I will read in evidence the certificates of expenses of some of the judicial candidates, continuing the line of testimony which we began some time ago. I will read first, the certificate of Abner C. Thomas, candidate for surrogate, filed November 15th. He states: "I contributed the sum of $7,500 by paying the same to John McQuade, treasurer of the Democratic organization of the county of New York, to be expended by him towards the printing and circulating of handbills, books, and other papers, previous to such election."

Also to the treasurer of the Democratic organization of the nineteenth assembly district in the county of New York, to be expended by him towards the printing and circulating of handbills, books, and other papers, previous to such election, $150, making a total of $7,650.

Certificate of James M. Varnum: I, James M. Varnum, a candidate for the office of surrogate of the county of New York, in the State of New York, voted for at the election held in said county and state on the 7th day of November, 1899, do hereby affirm and state that no money has been contributed or expended by me, directly or indirectly, by myself or through any other person in aid of my election.

JAMES M. VARNUM.

Dated, November 10, 1899.

Certificate of James A. O'Gorman, candidate for justice of the supreme court: To the Hon. John McQuade, as treasurer of the democratic organization in the county of New York, for the purpose of printing and circulating handbills, books, and other papers, previous to election, $5,000. To Hon. P. J. Dooling, chairman, Tammany Hall general committee, Thirteenth district, for the same purpose, $200, making a total of $5,200.

Certificate of Joseph F. Daly, candidate for the same position: He states that he has not contributed any money, directly or indirectly.

The certificate of George C. Barrett, candidate for the same position, says that he has contributed nothing, directly or indirectly, "by myself, or through any other person or persons, any money in aid of my election."

Warren W. Foster, candidate for the court of general sessions, states in his certificate as follows: "I paid to John McQuade, treasurer of the general committee of Tammany Hall, for music, printing, banners, fireworks, and for the usually incidental, legitimate expenses of the campaign, the sum of $3,500. I paid to W. P. Nichol & Son, Boyd's Despatch Company and Martin B. Brown, for printing and engraving cards, letters, circulars, cuts, advertising, etc., the sum of $376.40, and I further paid to Edward Cudahy, treasurer of campaign committee, and to C. F. Spinney, for advertising, newspapers, postage, telegrams, carriage hire, clerical services, etc., the sum of $697.39."

James A. Blanchard, candidate for the court of general sessions, shows expenditures to different individuals for printing, postage and distributing documents, $626.10.

Lewis J. Conlan, candidate for judge of the city court, city of New York, says that he contributed to John McQuade, treasurer of the Democratic organization of the county of New York, to be used for the printing and circulating of hand bills, books and papers, rent of halls and music, previous to election, $5,000. And to the treasurer of the democratic organization of the Fourteenth assembly district, for like purposes, $250. And to private persons for printing, $75.

James M. Fitzsimons, candidate for the same position, certifies that he paid John McQuade, treasurer of the Democratic organization, for the same purposes, $5,000. And to the treasurer of the Democratic organization of the Twentieth assembly district, $200. And to private persons for printing and advertising, $75.

Samuel Seabury, a candidate for the same position, certifies to expenditures for printing and the distribution of circulars and postage, $46.62.

Herman C. Kudlich, candidate for the same court, certifies that he expended in car fares, attending at and returning from political meetings, $1.50.

Daniel E. Finn, a candidate for the municipal justiceship in the first district, certifies that he paid to the Democratic organization of the first assembly district $500, and to the Democratic organization of the third district, $250; to the general organization, Tammany Hall, $48; and other expenses, $32; making a total of $830.

Herman Joseph, a candidate for the seventh municipal court, certifies to expenditures amounting to $1,958.75, none of which are contributed to be to any political organization.

Joseph H. Stiner, candidate for the eighth municipal court, certifies that he paid to the Tammany Hall general committee, fifth assembly district, for legitimate campaign expenses, $25; paid Tammany Hall general committee, seventh district, for legitimate campaign expenses, $300; paid Tammany Hall general committee, ninth district, for legitimate campaign expenses, $600; paid Tammany Hall general committee, eleventh district, for legitimate campaign expenses, $500; paid Tammany Hall general committee, thirteenth district, for legitimate campaign expenses, $150; paid Tammany Hall general committee, twenty-fifth district, for legitimate campaign expenses, $150; paid for printing and lithographs, etc., $390; paid John McQuade, treasurer of Tammany Hall, for circulars and for distribution in districts, $150; paid various other amounts to individuals, $283.20, making a total of $2,554.20.

Thomas E. Murray, candidate in the tenth municipal district, certifies that he paid an assessment to Tammany Hall for legitimate expenses of campaign, $282, and to other persons various sums, making a total of $428.

William F. Moore, candidate for the third municipal court, certifies that he made a voluntary contribution to the campaign committee of the Democratic party of the seventh Assembly district, of $250. And for the same purpose, to the campaign committee of the fifth Assembly district, $300. And for the same purpose, to the campaign committee of the third Assembly district, $250. And for the same purpose, to the campaign committee of the sixth Assembly district, $100; and various other individual expenses, making a total of $1,298.

George F. Roesch, candidate for the municipal court in the fourth district, certifies that he expended for photographs, lithographs and distribution thereof, and carriage hire, and "contribution to Tammany Hall toward printing of ballots, contribution to Tammany Hall and Assembly district organizations in judicial districts, $1,585." This certificate would seem to need amendment. It states that he made a contribution towards the printing of ballots, an expenditure which is borne by the municipality.

Daniel F. Martin, candidate for the municipal court in the sixth district, states that he contributed to the campaign committee of the Democratic organization, twentieth Assembly district, $500. For the same purpose in the eighteenth Assembly district, $500. For the same purpose in the twenty-fifth Assembly district, $375. For the same purpose in the twenty-second Assembly district, $100. For the same purpose in the twenty-seventh Assembly district, $75. To John McQuade, treasurer of the Democratic organization of the county of New York, for the same purpose, $136, making a total of $1,686.

Herman Bolte, a candidate for the second judicial district municipal court, states that he contributed to the Democratic organization of the sixth Assembly district, $150. To Tammany Hall,

$56. And had various other expenditures, making a total of $834.20.

Louis C. Whiton, candidate in the 10th district, municipal court, certifies to individual expenditures of $815, none of which are stated to be given to any political party.

Alfred E. Ommen, candidate for the second municipal court, certifies to expenditures, personal, $118.05, none of which is to be given to any political organization.

Otto Barthell, candidate in the ninth district, certifies to no expenditures.

Charles Balmsen, tenth district, nothing.

Charles G. Teche, eighth district, nothing. (These are all municipal court candidates.)

Anthony Gelbrich, seventh district, nothing.

Edward McElroy, sixth district, nothing.

Samuel Strassburger, candidate in the ninth district for the municipal court, certifies as follows: Printing and lithographs, $375; carriages, $50; subscription to the Republican campaign funds, $675; subscription to Independent Labor party, $140; rent of headquarters, $135; making a total of $1,375.

Benjamin Barker, candidate for the sixth judicial district, municipal court, contributed to George McAneny, treasurer of the Citizens' Union of the 25th Assembly district, $50; to William Henkel, expenses of watchers on election day, $50; to P. J. Daly, part of the expenses of headquarters of Independent Labor party for the 18th Assembly district, $50; in payment to notaries for procuring signatures to petitions, etc., $269.22; making total of $419.22.

John Jerolamon, candidate for the municipal court for the eighth district, certifies to having paid for printing of hanging and drop-card containing his name and the office for which he was running, and for distributing same, including carriage hire, the sum of $75.

Joseph P. Fallon, candidate for the municipal court, ninth district, certifies that he paid to the chairman of Tammany Hall general committees of the 23d, 29th, 30th, 32d and 34th districts,

$940. Additional to the general committee of the 31st Assembly district, $190. Thirty-third Assembly district, $220. Tammany Hall, through George W. Plunkett, $226; and various payments to individuals, making a total of $2,069.44.

Mr. Moss—That would seem to be all that are important.

HENRY D. GOODMAN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am a member of the firm of Doernberg & Goodman. My place of business is foot of East Eighth street. My business is that of packing boxes and lumber. I have had trouble with the health board in the matter of using soft coal and complaints as to smoke We have received complaints off and on—that is, men have been there; we don't know where they come from—they have been in there three or four years The first official notice we got I guess two or three months ago. Merely to discontinue the smoke, I guess, as far as I remember. Printed notice. I have not got the notice. We started to investigate and see what we could do about it. At the time that we received that complaint we got circulars from twenty-five or fifty smoke consuming companies. We got one from the Automatic Smoke Preventer also. I can't say how soon we got that after we got our notice. None of these inspectors ever asked me for any money. I did not pay them any money. Never did, no sir. I never did.

Q. Did any one connected with your firm pay any money? A. I think a matter of about three or four years ago a man was up there and represented himself as connected with the board, and he asked for money; deliberately asked for it, and after that, I guess inside of a month, there must have been thirty or forty there.

By the Chairman:

He said he was connected with the board of health We didn't know whether he was or not Inside of a month there were thirty or forty there.

By Mr. Moss:

Thirty or forty different men said they were connected with the health board. After that we refused to give anybody any money. We never had a prosecution against us, We are not using soft coal. We have never used it. Shavings caused the smoke about which the notice came. That makes a smoke. We are using shavings now. We use a smoke consumer now. I think it is what they call the Northwestern Automatic Smoke Consuming Company. I think they have an office at 721 Broadway. We investigated about fifty of them, I think. Since we put on this smoke consumer we have not been having any trouble; we make no smoke. It burns up the smoke. Every bit of it.

HERMAN OTTENBERG, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the building 370 Second avenue. I am a part owner of the building there. I did have a complaint from the board of health about burning soft coal. That happened because we were burning soft coal. We were experimenting with it. We just began to use it; only used it for a few months. After we had experimented we received a complaint from the board of health. After we received that complaint from the board of health several came to us to interest us in the automatic smoke consumer. Well, there were three in particular. The automatic smoke consumer. Then—let's see! There is another one that came. They had the apparatus in the post office. They were a western concern; a very large concern. I think it is a western concern. They had it in the post office. There were more than three. There was another one came and offered to put an apparatus in that would stop it by putting something on the coal, and stop the smoke. That was the Stoker Company. Stoker Company was the second. Yes, sir, that is it—the Stoker Company. I guess there were four or five. I don't remember.

Q. Did any one of these people say that if you used his apparatus it would be satisfactory to the board of health, or anything like that? A. We got circulars to that effect. The regular printed circular says there was one concern in Brooklyn. Then we got another concern, that states it was on other buildings. I do not remember which one of these circulars stated that their apparatus was satisfactory to the board of health. I would not say what the wording of that circular is now. I could not say. This circular stated that they had a letter of Vogel Brothers in Brooklyn on it, that it was satisfactory to the board of health over there. I remember that, because I looked at the building.

Q. This is a copy of that circular? A. That is the circular.

Mr. Moss—I will offer this circular and card in evidence.

(The following is a copy of the circular):

AUTOMATIC SMOKE-PREVENTER.

Patented May 17, 1898.

The following are a few of the advantages gained by using this apparatus:

1st. It is absolutely automatic in operating, not depending upon any human agency.

2d. Soft coal can be substituted for hard coal, thereby saving not less than 50 per cent. of your coal account.

3d. Forty per cent. less ashes to cart away.

4th. Where soft coal is used, more complete combustion takes place, saving from 10 to 15 per cent. in the consumption of coal, as well as doing away with the smoke nuisance.

5th. The apparatus is well made and will last many years.

6th. It will pay for itself within six months from date of attaching.

7th. It meets all the requirements of the sanitary authorities regarding the abatement of the smoke nuisance.

8th. With this smoke-preventer there will always be clean flues and stacks, which of itself makes a better draft, and consequently a saving of fuel.

This apparatus has been successfully applied for more than three months, as the following testimonial shows:

WILLIAM VOGEL & BROTHERS,

Tinware Specialities, 37 to 47 South Ninth street, 433-435 Kent avenue.

BROOKLYN, N. Y., *September* 15, 1898.

Mr. J. ORMEROD:

Dear Sir—We have had your "Automatic Smoke-Preventer" in use for several weeks upon our boilers (using soft coal). We would say they are working to our entire satisfaction and doing all you claimed for them.

We find the apparatus to be absolutely automatic and very effective in its operation and very simple in its construction, and we cheerfully recommend it to all owners of steam plants using soft coal.

Yours respectfully,

WILLIAM VOGEL & BROTHERS.

And the nuisance of smoke from their furnaces has been abated to the complete satisfaction of the board of health. See the report of the chief sanitary inspector on file there.

Should you require any further information kindly address us, and one of our agents will call on you.

Price and terms on application.

Very respectfully yours,

AUTOMATIC SMOKE-PREVENTER COMPANY,

Office: 907 Temple Court Building, corner Nassau and Beekman strets, New York city.

Telephone connection.

(The following is a copy of the card.)

AUTOMATIC SMOKE-PREVENTER CO.

By using our device, which is "Absolutely Automatic" you can substitute soft in place of hard coal, thereby saving 50 per cent. on your coal account, as well as doing away with the smoke nuisance. Forty per cent. less ashes to cart away.

The device can be used in connection with any style of boiler —stationary, locomotive or marine.

Office 907: Temple Court and 5 Beekman street, New York city.

Telephone 1934 Cortlandt.

Represented by George P. Garland.

The Witness—They asked for the automatic, $200 a boiler. We use four boilers in two plants. Two different buildings. That would be $800. I did not put that smoke consumer on. We did put another one on; experimented with others.

Q. Have you had any trouble with the board of health since you put that one on? A. We stopped burning soft coal. We were indicted and stopped burning soft coal. We didn't want any bother, and we wanted to get away from the trouble. That was all. After we put on the smoke consumer we were not troubled so bad by inspectors from the board of health. I went down, and I think this gentleman asked them to send an inspector, after I got going, and he expressed himself satisfied with one. He said it was all right. The other one, he wanted an improvement. I had two different kinds, and there was a lot of brown smoke, and he said I must get away with that. A couple of weeks after that I got indicted, and I said, "Here, it is no advantage to me." After I put on a smoke consumer I was indicted. So I said there was too much trouble about the thing and I would burn hard coal, and I am going to stick to it now. I did not take the automatic because I didn't think it was any advantage over the one I was putting in. I did not see it tried. I examined the circular. Yes, I looked at the Vogel factory. I live in Brooklyn. I made it my business to

walk around half a dozen times and I saw smoke coming out. I was looking after a good thing. Mr. Betts advised me. This is Dr. Betts right here. He did all he could for me and tried to help me out.

Mr. Moss—Let me see what is on this circular from William Vogel & Brothers, the same automatic smoke-preventing circular I read from a minute ago.

BROOKLYN, N. Y., *September* 15, 1898.

Mr. J. ORMEROD:

Dear Sir—We have had your "Automatic Smoke-Preventer" in use for several weeks upon our boilers (using soft coal). We would say they are working to our entire satisfaction and doing all you claimed for them.

We find the apparatus to be absolutely automatic and very effective in its operation and very simple in its construction, and we cheerfully recommend it to all owners of steam plants using soft coal.

Yours respectfully,

WILLIAM VOGEL & BROTHERS.

And the nuisance of smoke from their furnaces has been abated to the complete satisfaction of the board of health. (See the report of the chief sanitary inspector on file there.)

The Witness—I saw that on this circular and I went to look at William Vogel's place. I didn't go into the building. I saw black smoke coming out. I told the man about it and he said the arrangement was not kept in order. I didn't go inside and see whether the apparatus was in order or not.

Q. That is the apparatus which is put forth as the show apparatus on the circular. Do you not see that if you had taken the automatic apparatus you would have complied with the terms in this circular, which says it is satisfactory to the board of health? A. It would not satisfy me if I made a black

smoke and made a nuisance. I had good coal and didn't make much smoke; and other times I did, when I got poor coal. I went down—I was astonished when I was indicted, because I said I was either going to get away with the smoke or stop using it. I told Mr. Betts so. Mr. Betts said I was indicted for what I had done previously, when I had made smoke.

Q. If it related altogether to previous things, why did you give up using the smoke consumer and the soft coal, after you put it in? A. I didn't want any more worriment.

Q. And you would have saved fifty per cent on you coal bills, would you not? A. No, I could not. I don't think any one could save fifty per cent or twenty per cent on soft coal. It would give better steam and less ashes to handle. I did not stick to it and work it out. I didn't want the worriment. I have observed a great deal of black smoke coming from other people's chimneys. Not a common thing to see a lot of it. An ordinary thing. I have noticed black smoke coming from chimneys in my neighborhood all around from people who have not been indicted.

Q. How do you account for it that you, who had given up making smoke, and were really experimenting, honestly experimenting with different consumers to try to get the best, when you were using a consumer that practically did away with the smoke nuisance, were singled out for an indictment covering matters, as you say, which occurred before? Can you explain that? A. I cannot. I don't know how many times the inspectors called on me. I ain't around there but very little. I don't spend but an hour a day. I had a couple of appointments. I requested them to come up and examine, as I put the experiment in, to see whether they were doing the work properly. Outside of that of that I ain't around the building there more than an hour a day. I did not ever give any money to any inspectors. I never heard of any money being given by any people. Not in our office. I never heard of any being asked. In connection with our establishment, in any way; never gave them any chance to do so. I never heard of money being asked

for by board of health inspectors, in connection with the smoke nuisance. I do not know of any money having been paid, outside of our office. I do not, no. I have no information on that subject, there is none paid, I don't think, by anybody connected with our office, because I would know it.

Q. Have you heard of people being approached on that subject? A. It is hearsay, more than anything else, I guess.

Q. Have you heard hearsay on that subject? A. No, I can't say that I have.

Q. What do you mean when you say that it was hearsay? A. I have heard people talk about such things. I can't remember now what people. There has been so much talk about it, that after we got indicted everybody spoke up. There has been talk, which I say is heresay, of the people having been approached in connection with these matters, but nothing which I can give you as definite. Well, everybody said, "If you had paid up money you would not have had any trouble." I said, "I tried to improve my plant and since I could not do it I will use hard coal." I have not heard of any such thing. I was not willing to put up money indirectly but would have the consumers. So I did away with the whole business and went back to hard coal.

FRANCIS ECKENROTH, being duly sworn, testified as follows:

Examined by Mr. Moss:

My place of business is corner of Fifth street and Lewis and East River. We are dealers in lumber, timber and moulding. It was in the month of August—and July. July and August, when we had the visits from the inspectors. I guess a dozen or more of those men came to see us. They all assured me that there were complaints from smoke in the neighborhood, and that I must abate the smoke. I did have as many as a dozen visits in those two months. I was not indicted.

Q. How do you account for it, if there were so many complaints in the neighborhood and so many visits from in-

spectors that you were not indicted? A. Well, I will tell you. I was trying experiments on my boilers to abate the smoke, and I was getting to it and I spoke about it and told them that I was about to make no smoke, and to give me a chance for a week or two, and which promise I kept. I experimented on a boiler and I made no more smoke after the 12th of August. After an inspector had called, and another inspector would come, the second inspector would simply say, "There is a complaint lodged against you." I never did give any of those men money. They never asked me for money. I got rid of them; to call again; and in a week or ten days or two weeks at the furthest that I would abate all the smoke; and I showed them that it was possible to abate it on the lines on which I was experimenting; and I finally got a notice or a circular from the board of health itself and from the assistant corporation attorney or assistant attorney of the office, and I was called before him and I told him that I was making no more smoke, and that I wanted a general inspection, which they gave me, and I showed them that the smoke was under my control; that I controlled the smoke fully; that I could make smoke or not make it; or leave it alone or make less smoke; and from that time out they have let me alone. They never bothered me about smoke. I ain't smoked any since. I use a natural air draft. It simply came to me by experimenting upon the boilers. It is to allow a certain amount of air to pass in my boilers and burn the smoke. It consumes it at once. This is something that I have evolved out of my own mind. It is my own, and I have had absolutely no trouble since, not a particle. I do not know of any one that has paid any money to any inspector. There is a common rumor about that, but I never saw it. I don't know of any. I have not stated that I have known of payments being made; not as I know of. I have heard so, but I never saw it. I heard it; oh, two or three years or four years ago. Let me explain. I haven't heard it for more than a year in connection with smoke, because at that time—I am only making smoke, or running an engine of my own, since the

1st of June; yes, about the 15th of June of this year. Prior to this we were in the same neighborhood hiring power from another concern, and these people around here of course used to be hampered a great deal with smoke.

Q. When an inspector used to call on you did you not sometimes give him a $5 bill? A. Oh, no, no. I never said that to anyone.

FRANCIS W. RENDOE, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the engineer of William P. Young's moulding mill at 432 East Tenth street. I did not receive some complaints about the smoke nuisance from the board of health. I could not tell whether there were some that came to that place. They might have went to the proprietors, but not to me. I was not consulted about some complaints that had come from the board of health; nothing, only what Mr. Young said. He said there was complaint made about our smoke. He did not tell me that he had received a circular from the Automatic Smoke Company. I did not see such a circular. I have heard of such circulars. I did not look into the automatic smoke consumer. I did look into some smoke consumers. I investigated Mr. Hill's—what we have now applied to our boiler. I did not investigate some others and find that they were not useful. Mr. Hill's consumer is nothing more than a furnace door with a steam jet in the furnace. It came from the west, by a man by the name of Holby. He came there and saw Mr. Young. I couldn't tell you what brought him there. I couldn't tell you how he knew that we needed such a thing.

Q. How did you know that you had received notice from the health board? A. That I know nothing about. Since we put in the smoke consumer I have seen the inspectors from the health board around there. I have not talked with any of them.

Q. Have you known of any complaints since that time? A. That I could not say.

JOHN A. MALONEY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the superintendent of the Yellow Pine Company, Long Island City. We had a complaint from the board of health about some smoke we made from shavings. That makes smoke just as well as soft coal. That complaint was made about a month ago. We put a smoke preventer on the furnace; just an ordinary steam jet; no company's. It is our own make. There is a recognized way of preventing smoke without recourse to patented devices. To my knowledge there has been one in use for over nineteen years. That is the one we are using.

Q. Have you had any complaints since you put that steam jet in? A. We haven't had our complaint in court dismissed yet. We still have a proceeding pending in court. It is coming up to-morrow. That steam jet was described by the gentleman before me. It is merely a jet through the furnace door that brings a sufficient amount of air in the furnace to kill the smoke and consume it before it passes out of the chimney—just a steam jet. It syphons the air into the furnace along with the steam; just inside the door. It is a forced draft, practically, the purpose being to get more air in combustion—more air to consume the smoke that is hanging dead in the furnace. It actually does away with the smoke.

By the Chairman:

It brings more oxygen in to consume the carbon.

By Mr. Moss:

No inspector from the board of health recommended to me or anyone connected with my company, any smoke preventer.

LEWIS G. ENGEL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the engineer of the New York Sugar Refining Company, with works at the foot of Pigeon street, Long Island City. We are not using any smoke consumer. We are burning hard coal. We were using soft coal. There was some complaint about it. Soft coal produces more steam and less ashes, and it was cheaper than hard coal. It is not now, the price has gone up. I don't know that it is still cheaper than hard coal. Considering the amount of steam that it produces in comparison with hard coal, it is cheaper. We do not use a smoke consumer which would enable us to use soft coal, because we tried one and it was not a success and so we threw it out. We did not try the automatic. I know of the automatic only from the circular. I have never seen it.

Q. Are any of these smoke consumers perfect consumers of smoke? Do you know of any that actually consume the black smoke and get rid of it entirely? A. I can't answer that question.

Q. Do you know of any? I ask you as an engineer? A. Not of my own personal knowledge, no. Under certain conditions they may. It depends very much on the kind of boiler that you have. It is possible in some forms of boilers to very nearly prevent all the smoke. That is, without any consumer at all, hardly with soft coal. We received a number of circulars from smoke consumer companies; four or five, I think. We tried a smoke consumer which was similar to nearly all of them. We tried it on a couple of boilers. It was a device made in Middletown, New York. I forget the exact name for it. I don't know as it had any particular name. It was made up there by a machine shop in Middletown, New York. We had a contract that if it was successful on two boilers, to equip all the boilers for a certain sum. It was special and I don't know that the people that made the contract would like to have that made public, because

it might affect the price. I do not know what the regular price is of that device.

Q. How does the price that you had compare with the price of $200? A. It was cheaper, because they wished to get this device in somewhere in the city. We had the smoke consuming device in, and we tried it and it didn't work well, and we did then investigate other devices, and I made a number of visits to various places to look up the matter of stokers—automatic stokers; and while that was going on the board of health insisted that we stop making smoke. They finally arrested me and then we started to burn hard coal. We have not continued our experiments in the smoke consuming devices. Mainly on account of the large cost of getting in the proper device that would stop it. We didn't wish—we got bids on a number of stokers, but finally concluded, for business reasons, not to put them in at present, but to continue to burn hard coal. I found some stokers that were satisfactory, yes, sir.

Q. But none of those smoke consuming devices? A. I didn't investigate any more of those, because they are all practically the same thing.

JOHN E. JAMES, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the engineer of the Havemeyer & Elder Sugar Refining Company. That company is now burning hard coal. We have not had any trouble with the health board. At one time we used one of the Automatic Smoke Preventers. The American Stoker Company, I think. We used that with hard coal. We tried the consumers experimentally, with soft coal. We did not find it worked at all. I do not know of any smoke consumer that works at all with soft coal. There is none.

JOHN SCATCHARD, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with Vogel & Brothers, 37 South Ninth street, Brooklyn. That is the firm that is using the so-called Automatic Smoke Preventer device. And the firm that is referred to in this circular of the company. That Automatic Smoke Consumer is simply a new name for an old device. We had a smoke consumer put in about four years ago, called the National Smoke Consumer. That gave us entire satisfaction. The automatic was an arrangement that was put on about twelve months ago, merely to open the doors automatically and open a valve. That is all there is to that. I mean that the device of bringing a steam jet in is an old device, and the automatic part of it simply opens the door without human intervention. Mr. Ormerod, the inventor, I believe, or the owner of the patent, came there and introduced it and our firm took it up. At that time we had no complaints from the board of health, I never heard any complaints about smoke. We never had any to my knowledge.

Q. How did the board of health know that you were using that device? A. I believe Mr. Ormerod brought some of them there to see it. I believe there have been a number of the inspectors of the board of health there examining this. I was told they were inspectors. I don't know of my own knowledge. So far as this automatic device is concerned it is not necessary.

Q. Anybody can get the same results without the automatic part of it, can they? A. I don't use it. I have taken it out. I never heard of any complaints. I heard the testimony of Mr. Ottenberg, this morning, that he had observed smoke coming from our chimneys. Possibly we were burning wood. We burn quite a large quantity of wood, and that makes smoke, and that is not all consumed. It does not consume the wood smoke—not altogether. It takes quite a lot of it away. It requires a great deal of air. A great deal of this black smoke is made from shavings, and the device will not do away with that kind of smoke.

This arrangement that we have on our furnace is entirely satisfactory to the board of health, I have always heard. We never heard any complaint. The members of our firm said so. And those people claim— Mr. Ormerod said so. There has been a number of people there to look at it. They merely take an observation. It is generally understood that that device is acceptable to the board of health.

Q. On your own statement it is not a perfect device, so far as wood smoke is concerned. There is none that is perfect, is there? A. No. The amount of smoke we get by using that device with soft coal is about equal to using hard coal without it. There is some smoke that comes from using soft coal, and especially when you throw the soft coal on there is bound to be some smoke. There is very little. It lasts about half a minute.

Q. When you are raking the fire there is bound to be some smoke, is there not? A. Not unless the coal is dead. I heard the testimony of Havemeyer & Elder's engineer, that none of these devices do away with the smoke entirely. I can't say that is true. I ony had the one. As far as I know it is. Our concern is used as a reference for this quite generally. The name of our concern is on the circular. I have no interest in that concern. Not the slightest, no, sir. We are simply referred to as a place that uses it and which is satisfactory to the board of health. I think the reason of that is that we were pretty nearly the first ones to have it. If people will use soft coal there must be some little smoke from it, and there is no device, so far as I know, which absolutely does away with it. Not absolutely, no.

Q. The only way to get rid of soft coal smoke is to get rid of soft coal, is it not? A. I presume so, yes, sir.

W. C. TRAGESER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the copper works at 447 West Twenty-sixth street. We use soft coal mixed with hard coal. We did not have trouble with the board of health. We had complaints,

yes, sir. That complaint was on account of the smoke. Six or seven months ago. We got rid of the complaint by putting in a smoke consumer. The smoke consumer is made in Rochester, the Denio. We did not have any trouble with the board of health since that time.

WILLIAM LYALL, being duly sworn, testified as follows:

Examined by Mr. Moss:

My place is at 541 West Twenty-third street. I had some trouble with the board of health about burning soft coal. I guess it was early last spring.

Q. Did you have a visit from some of the representatives of the Automatic Smoke Consuming Company? A. Well, I am not certain of that. I look after the office work. My brother is the practical man. But we have had a number of notices from these smoke consuming people, circulars and such like. I think they came at the time we were informed by the board of health. Pretty close to that time, I guess. I don't know that I came in contact with any of them. I don't know as a member of the firm that there was such a device which was claimed would be satisfactory to the authorities. Only I know that my brother said that there was none of them, so far as he had investigated, of any use to him. My brother, did make an investigation, and decided that none of these things were useful. They did not consume the smoke and allow us to use the soft coal. He was indicted, and he thought it was the best way to stop burning the soft coal and to burn anthracite coal. We would like to burn soft coal.

Q. Don't you know a good many people are using this automatic device, and saving themselves trouble by doing so? A. They may succeed in saving themselves trouble.

Q. But they do not succeed in preventing the smoke? A. No; that was my brother's decision.

J. D. HULL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am in business at No. 4 and 6 Tompkins street. I did receive notice from the board of health about smoke. I think I have the notice here (producing paper).

Q. This one which you hand me is dated January 18, 1899, and I notice that it has pinned to it a letter from the Automatic Smoke Preventer Company, dated January 18th, also? A. Yes, sir.

Q. Then there is another one apparently preceding the one which you just handed me. The notice of the board of health is dated January 6, 1899, and the notice from the Automatic Smoke Preventer Company is dated January 10, 1899? A. That is the first one I received.

Q. Then you received these letters from the Automatic Company quite close to the time of receiving the notice from the board of health? A. The last one in the same mail.

Mr. Moss—We will take this first notice. No. 274. It is dated January 26, 1899, addressed to Jeremiah D. Hull, No. 4 and 6 Tompkins street, and the complaint is "that the discharge of smoke from the premises be discontinued forthwith." There is attached to this notice, which the witness has handed me from the board of health, a letter which I now read:

AUTOMATIC SMOKE-PREVENTER COMPANY,

907 Temple Court Building, Corner Nassau and Beekman Streets.

NEW YORK, *January* 10, 1899.

JEREMIAH D HULL, ESQ., 4 and 6 Tompkins Street, New York, N. Y.:

Dear Sir—[This gentleman's name, Mr. Jeremiah D. Hull, is written in by a direct impression. The balance of the letter is typewritten manifold, indicating that the letter was a form, and that the name of the witness, or the person to be addressed, was filled in when they wanted to write. I continue the letter]:

Kindly allow us to call your attention to the special merits of our "Automatic Smoke Preventer."

1st. The company furnishes and attaches their preventer and guarantees, that the effect of the appliance shall result in the abatement of the smoke nuisance, in compliance with the laws and regulations therefor relating to this city. Failing to do so, the company will remove them and restore all connections at their own cost; and we further agree to keep the same in good order for a period of five years (from ordinary wear and tear), free of cost.

2d. It has no clock work, wheels or chain attachment, to be always getting out of order; nor do we use any chemicals that destroy the boiler in a short time.

A number of these appliances are in this city giving complete satisfaction. We respectfully solicit a trial order. References given upon application.

Very respectfully yours,

AUTOMATIC SMOKE-PREVENTER COMPANY.

The Witness—After I received that first notice of New York, January 6th, I thought it was only a matter of my furnace being clogged up, and I went and had the back connections all removed, so that I made a combustion chamber there, and I found then that I was not making so much smoke, but still some smoke was coming from the coal. I thought that would do the board of health, and I did not pay any more attention to it. Then I received a second notice. This is the second notice, and the letter attached thereto, which I now hand you.

Mr. Moss—The second notice reads:

NEW YORK, *January* 18, 1899.

Sir—Your attention has heretofore been called to the violation of law, 4 and 6 Tompkins street. Unless the cause of complaint and nuisance are removed when the officer reinspects the premises, this case will be presented to the criminal court.

Very respectfully,

JOHN WHALEN,

Corporation Counsel.

The Witness—I say I received in the same mail this letter of the Automatic Smoke-Preventer Company, dated January 18th, being identical in form with the letter of that company which you read a moment ago. Then I went down and saw the board of health, and I told them I had made some alterations, and asked them for a reinspection. They said they would give it. A man came up and reinspected the place, and he says he saw nothing wrong. About a week after that I was indicted by the grand jury. In the trial of my case the district attorney, addressing the jury, claimed that there were smoke consumers that would do away with about sixty per cent. of the smoke. That is what they claimed, from fifty to seventy-five per cent. of the smoke, they would consume. In trying my case it was not claimed that the smoke consumer would do away with all that smoke. Not at all. It never had been claimed, that I know of.

Q. Is it not a fact that smoke consumers will not do away with the smoke? A. I have been experimenting with them thirty years, and I have not found one that will do it. The only way to get rid of the soft coal smoke is to stop using soft soal. That is the truth.

Q. Did you see any one representing the Automatic Company? A. Well, there were several men there. I think there was one man there who represented that company. He referred me to the Vogel Brothers. I took the trouble to go and examine that place, and I saw there just as much smoke as was coming out of my factory. That is a place of exhibition. I agree with Mr. Tarburger that clouds of black smoke were coming from their chimneys.

Q. So, from your inspection of their works, you concluded that that automatic device was not what it was claimed to be? A. If they put in steam enough they can mix it up and make it come out in a light color. That is the way it is disguised. That is about all I think of it. I have not heard any talk among business men about this matter of the automatic smoke-preventer device in the board of health. Some people state that it is very queer

that they should get notice from the board of health and from the Smoke Consumer Company at the same time. They say something about that. There are several other persons that have received these notices in the same way I have, that I have known of. And naturally I look upon it as a little bit peculiar. I suppose so, yes. I was not convicted on my case. I was acquitted

By Mr. Hoffman:

I did not receive any other notice except from the Automatic Company. I think there was one man from Pennsylvania representing another company that called upon me. That was about two months ago; two or three months ago. The last man was from Pennsylvania.

By Mr. Moss:

I don't know that the Automatic Company has an office in Pennsylvania. I never paid any attention to that, because I saw they did not amount to anything.

HARRY F. VAN BRUNT, being duly sworn, testified as follows:

Examined by Mr. Moss:

My place is at No. 293 and 295 Monroe street. We used to have calls from the inspectors, complaining of the smoke, occasionally.

Q. After the inspectors called, did any one come representing the Automatic Smoke Consuming Company? A. No; not in particular.

Q. Not in particular? A. There was one in particular.

Q. Representing any company? A. Yes, sir.

Q. How soon after the inspector called did these gentlemen turn up? A. In the course of a month, I guess. It was not sooner than that; some time. Not to my knowledge. I did not once have a man come there within ten minutes of the inspector. No one ever spoke to me representing the automatic smoke con-

sumer; we have had their circulars. We have had notice from the board of health about our smoke.

Q. Did you get a notice from the Automatic Company, or a circular from the Automatic Company shortly after this notice from the board of health? A. Well, I don't exactly know how soon it was. We did receive circulars from other companies besides the Automatic Company. The Northwestern, I believe. The Northwestern Automatic Company, or the Northwestern Fuel Saving concern. And there is one, Gallagher Sons. We have a device in there now of our own idea. It does not consume all the smoke. I don't think it is possible to consume all the smoke. We have had complaints from the board of health since we put our own device in; we have had an inspector around there about a month ago. He looked at the chimney, and he said if we did not make any more smoke than that, that he did not see how they could find any fault; that is, these people in the immediate vicinity could not find any fault. I have never been prosecuted. I have never been asked for any money. I have never given any money. I do not know of any one that has.

Q. Has any one representing your concern been approached? A. No, sir.

FELIX A. MULGREW, being duly sworn, testified as follows:

Examined by Mr. Moss:

I have a wood mill at the foot of Eighth street and I have another one at the foot of Tenth street, adjoining the ferry there. I lease that one. I did receive a notice from the board of health about the smoke as far as the mill in Tenth street is concerned. Nothing from the Eighth street one. I received that notice over a year ago. I had one more recently, last winter. I forget just what month it was in. They sent me a notice to go down to the board of health, to the attorney's office there, I believe. I went down there and they treated me very politely, and I wanted to know exactly what they wanted. They told me they wanted me

to stop making black smoke. I asked an extension of time, and they gave me two weeks. So I went to work, and I tried to do away with the smoke by putting in an appliance of my own make, and I think the inspector came around there several times afterwards, and they said we had it a little better than that; that we had to do a little better than that, and finally we thought we were all right, and commenced to burn soft coal, and they said that that did not do at all, so I stopped burning the soft coal, and we used hard coal. I had not the appliance completed quite when I got a notice that we stop. It was along in the summer, in the month of July or August or September, that we got a notice to come down to court. I thought I was doing all right because I had most of the smoke consumed, and I understand the board of health, when I was down there to their office, I understood from them I was allowed ten per cent. of smoke if I could get away with ninety per cent. of smoke, then it was all right. I thought I was doing that, but along in September they invited me to come down to court, that I was under arrest. I went to Essex Market, and had to appear down there in the court building adjoining the Tombs, and I was fined fifty dollars. Last summer there was quite a number of representatives of smoke consumers called, and amongst them this Automatic company. He represented that they could do away with all the smoke. I wanted him to give me a guarantee, and he said he would give a guarantee the next time he came around there, and then he said if the board of health passed it it would be all right. The first time he seen me he said—I told him I wanted him to give me a guarantee. He said he would the next time he came around there. I spoke to him about it. I spoke to him about this guarantee, and I said to him, "You can put in the apparatus if you give me a guarantee." He said, "The only guarantee I can give you is that if the board of health approves of it, that ought to be satisfactory."

Q. Did he say the board of health approved of it? A. No; he said if the board of health approved of it. If they approved of that appliance that was all the guarantee he would give me. So

I did not put it in at all. And I had several others there, I cannot remember the names of them. I think I went around the city and investigated a dozen of them.

Q. Did he not indicate that the board of health would approve of it? A. Not in those exact words, no, sir.

Q. Was not that the intimation? A. It appeared to me, of course. I felt a little angry about the matter. It appeared to me that was the case, and I felt that way at that time.

Q. Was not that one of the reasons you would not have anything to do with it? A. Well, I can't say that. If I thought it would do away with the smoke positively, and he would give me a guarantee, a written guarantee, why I should have tried it, but he would not give me a written guarantee because he could arrange this thing to work all right, until the board of health approved of it, and then it would go wrong.

Q. What would you care if the board of health were satisfied even if it did? A. If I put in a consumer, I wanted a consumer, and no humbug. I believe it is perfectly right that the smoke should be done away with amongst residences and in the tenement house district. We are right down on the river, and I think they should be a little lenient with us and give us a chance.

E. M. PRITCHARD, being duly sworn, testified as follows:

Examined by Mr. Moss:

My place is at 128th street and Mott avenue. Fireproof doors and shutters. I think the first complaint from the board of health about that smoke was about two years ago. Then I received one quite recently, six months ago. I think we have had one within three months. I may be mistaken about that. These were written complaints. We received visits from representatives of the automatic concern, who left a circular with us. He claimed that they would do away with the smoke entirely, and it would be satisfactory to the board of health. I did not adopt the device. The price of it was, I think, $350, for our

boiler. I think that was the price. He agreed to send me—they were putting some of them in—he agreed to send me a notice that they had them in at some other place in the city so I could go there and see them. I am waiting for the notice yet.

Q. Well, they called upon you a sufficient number of times to annoy you, did they not? A. They annoyed me some, yes. I turned the annoyance papers over to my counsel.

Q. Did he succeed in stopping the annoyance? A. Well, it is in statu quo. I am not burning the soft coal. I have not been. Shavings and wood made the smoke. I am still burning shavings and wood. I think we have been indicted. I am waiting to see some of those devices that will be an entire success. I don't want to spend money until I know I am going to get my money's worth. I have learned considerable since I came here this morning.

Q. Don't you think it would be a wise thing for you to buy the automatic device? A. If it would do what they claim for if, yes.

Q. Supposing it does not consume all the smoke? A. Well.

Q. If that is satisfactory to the authorities isn't that enough for you? A. To state my views in regard to that, I will say that two years ago I made some alterations in my chimney, carrying it up some feet higher. That was entirely satisfactory to the board of health then. Later they came with a new claim on me, and wanted—they said I was still making smoke. I don't know whether this is the same people or not, but at least I was notified they had made a complaint against me for still making smoke.

Q. As I gather from your words you mean this: That if you should put in an expensive device and make it satisfactory to the board of health there might come in a new king who knew not Joseph? A. Yes; that is the size of it precisely, as I look at it. And the only thing is to have the device that consumes all the smoke. I don't know of any such device. I have been looking for it for a number of years. I have talked with other business men having the same kind of trouble that I am having; some little

but not much. I have not heard any statement or information of money being paid to any inspectors, or persons, connected with the department. I do know of other persons who are making black smoke. It is quite common.

Q. There are a good many persons who make that smoke and are not prosecuted, are there not? A. That I could not say. I am getting old, and I stay to home and don't go around visiting much, consequently I don't know what my neighbors are doing altogether.

JACOB DOLL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the place 402 and 408 East Thirty-first street, manufacturing piano cases. I have been quite some annoyed by the board of health about smoke. I do not burn soft coal. We burn shavings and wood waste. In connection with these notices from the board of health, we have had circulars and visits from persons representing smoke consumers; ten or more. I take no notice of that because I did not believe in it, because I do not think the smoke can be stopped. As long as you burn shavings from hard wood you have to make a smoke. I don't think there is any smoke consumer that will stop that. I have heard of so many smoke consumers that are satisfactory until you get them.

Q. Satisfactory to the board of health? A. I don't know. They all say that.

Q. Do they all say they are satisfactory to the board of health? A. Most of them. As I say, I did not recognize them at all, and I did not care to waste my time with them. I do not know places where they do burn soft coal and are not prosecuted. I have heard of some. I really don't know. I do know of places where there are clouds of black smoke coming from the chimneys. I have seen that. It is not an uncommon sight. No, more than we would like to see, I guess.

Q. You know some of these places are not prosecuted by the board? A. Well, I did not read of them. I think I did receive one of the automatic circulars. I think that they said that it would be satisfactory to the board of health, or words to that effect, something like it. I was not approached to pay any money to these inspectors. I suppose there is something like that going on. You hear talk, but I was never bothered.

PETER McDOWELL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the Harlem River Lumber and Wood Working Company, Girard avenue, south of 138th street. I received a complaint from the board of health about making smoke. I received also a circular from a smoke consuming concern. I do not remember any particular company that it was from. I do not remember any of them. I think we did receive one from the Automatic Company. The first notice we had from the board of health was away last spring. We were notified that if we did not stop making smoke they would sue us, and that we should be fined. So we could not stop very well in the time they gave us and so they sued us. That is about three or four months ago. The case was dismissed. I think we received the notice from the Automatic Company about the same time we received a notice from the board of health. We have not struck any smoke consumer that consumes smoke yet.

PATRICK G. TIGHE, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the office manager of the Franklin-Emmett Company. I don't know whether we are using any soft coal there. I don't know whether we have been. I would not know anything about that. I do not know of having received any complaints from the board of health. I would not know of that.

THEODORE HILDERBRANDT, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the Brooklyn Oil Works, Long Island City. They are not burning any soft coal there. We burn pea and dust. I don't know that that makes any smoke. It does not. We have had no complaints from the board of health. We have no smoke consumer.

JOHN R. WOOD, being recalled, testified as follows:

Examined by Mr. Moss:

On the 5th day of October, 1899, I visited the oil works represented by the previous witness. There was smoke coming from the smoke stack. Large quantities of black smoke coming from the stacks.

ORIN S. GOAN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am manager of the Holmes & Coots Biscuit Company, Tenth avenue and Fifteenth street. We burn in the furnace pea coal, dust and soft coal. We mix one part soft coal to five parts pea and dust. We have not any regular consumer. I think we have a kind of boiler that enables us to burn that class of stuff without smoking. Our boilers are very large vertical boilers, known as the Climax boiler, and it is an unusual pattern. We also have a stack one hundred and seventy-five feet high and we do not make smoke when we burn coal. We may make a little once in a while, when we burn refuse. We have to burn about one hundred barrels of sweepings a day from our factory. That makes a little perceptible smoke, but it is not dense. We have no smoke consumer.

JOSEPH M. HINGHER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the Standard Silican Cement Company. We use soft coal over there. We have no regular consumer. We have had one notice from the board of health. We got one notice on September 22d. We have not been prosecuted by the board of health. No arrest. I would say that the boiler that we have is known as the Hazelton boiler, and it has an air blast that goes between the two walls of the fire box, and gives it combustion for the soft coal, and in that way we overcome a great deal of the smoke. I think just as much as with any other consumer. I have not seen any consumer that really consumes all the smoke. I have been looking for them. The inspectors have been there and one of them said that if every one was making no more smoke than we were that there would be no trouble. We have had one of the representatives of one of the smoke consumer's company and he went through our plant, and we showed him what coal we were using, and then we fired up for them, and he said: "Gentlemen, with the little saving that I could do for you, we may not make you believe it, but it would be sufficient." In other words, the smoke consumer would not appreciably reduce the amount of the smoke. It was due to the type of the boiler we use.

JOHN R. WOOD, being recalled, testified as follows:

Examined by Mr. Moss:

On the 9th day of October, 1899, I visited the works represented by the last witness. I saw clouds of smoke coming from the chimney.

J. E. KEGREISZ, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was connected with the National Enamel and Stamping Company of Laurel Hill, Long Island, New York. We did use soft coal there. We have no consumer. We did not have any permit from the board of health. Not that I know of. We have not been prosecuted. No smoke consumer company approached us. Not that I know of.

DENNIS F. MAHER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am in the lumber dealing business at 60 Eagle street, Brooklyn. Well, the D. F. Maher Company is entirely separate from the Eagle Planing Mill. The Eagle Planing Mill concern deals in lumber. That uses the fuel that you have mentioned, shavings, pea coal and dust.

Q. Have you any smoke consumer? A. That I cannot answer. I ain't acquainted with the planing business at all. Its a separate business entirely. I don't know whether it has ever been prosecuted by the board of health. I do not know of any prosecution at all.

GEORGE J. BROWN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the iron works at 75 West street, corner of Hilton street, Brooklyn. We have been using a soft coal about two months. We stopped using it about two months ago, because we got good pea and dust. We have no smoke consumer. We have never had. We have never been prosecuted by the board of health. We have never been called upon or received circulars from any smoke consumer company.

DAVID S. HUNTER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the engineer of the New York and Boston Dye Wood Company of Brooklyn. We use a little soft coal over there. We have no smoke consumer. We have never been prosecuted by the board of health. Not that I know of. I could not tell you whether we have ever been approached by any smoke consumer company. I never have been personally. I don't know what they may have had in the New York office. I don't know anything about that.

JOHN R. WOOD, being recalled, testified as follows:

Examined by Mr. Moss:

On the 14th day of October, 1899, I visited the plant of the Manhattan Electric Light Company, No. 123 East 24th street. I saw smoke coming in large quantities from the stacks and I went in and I saw them burn soft coal. I had some conversation with the manager of the place. He admitted that they burned soft coal. He stated I believe they had been prosecuted by the board of health.

WILLIAM J. SHEPARD, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the Moulding Mill 153 East 128th street. We burn shavings and saw-dust. You can't get fire without smoke. It makes a good deal of smoke. We have no smoke consumer. Plenty of people asked us to buy one. I don't know what companies have been there. Some Rochester company, and one from Pennsylvania, and there have been several circulars

since. I have never been fined. I am indicted now, I guess, and under $500 bond. I have been burning this stuff ever since I have been in the place, going on six years. I may have a circular from the Automatic Company, but I pay no attention to them. I do not remember any company that represented that it would be satisfactory to the board of health. Not that I know of. I might have read that in the circular and thrown it to one side. I cannot remember it. I have not put on a smoke consumer, because, in the first place, I only lease the building. I am not the owner of the building, and in the next place, I don't think it is going to do any good. Because I don't see how you are going to burn smoke.

HERMAN PAUL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I have a machine shop at 157 East 128th street. We do not burn shavings and saw-dust; only burn enough to light a fire with in the morning. We did not burn shavings considerably.

ALMON B. CALKINS, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the superintendent of the Neptune Heater Company. With works at Jackson avenue and 10th street, Brooklyn. We use soft coal over there. We have no smoke consumer. We have never been prosecuted by the board of health.

RALPH N. PERLEY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the proprietor of the ink works, West avenue and 9th street Brooklyn. I am not exactly the proprietor now. There are others who have an interest. We burn a little soft coal over there. We have no smoke consumer. We have never been prosecuted by the board of health. Not that I know of.

FRANK BROWN, called as a witness, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the engineer of the Manhattan Refrigerating Company, of Thirty-fifth street and Eleventh avenue. They burn soft coal over there. We have no smoke consumer there. We have not been prosecuted by the board of health.

R. T. HACKETT, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the manager of the New York Butchers' Fat Melting Association in West Forty-eighth street. We do not burn any soft coal over there. We have burned it. We stopped because we had a complaint from the board of health, and we did not want to get into any more trouble. We got a complaint from the board of health. I think it was probably in August. I cannot say that we heard from any of these smoke-consumer companies about that time. I think we got some circulars from some smoke-consumer company. I did not see the representative of the company himself. The circular was left there, and I believe on the circular it was claimed they could do a good deal about stopping the smoke.

JOHN S. WOOD, being recalled, testified as follows:

Examined by Mr. Moss:

On the 20th day of October, 1899, and on other days, I observed the Commercial building, Waverly place and Broadway. I saw the engineer of that building on the 9th day of October, 1899. He said he burned pea and dust coal and soft coal. I saw smoke coming from the chimneys. I saw black smoke; soft coal smoke. I have pictures of that. They are here.

Q. Pick them out. (The witness does as requested, and hands the pictures to Mr. Moss.)

The Witness—These are two of them. That building is generally known as the Guggenheimer building.

Mr. Moss—I offer these pictures for identification.

(The pictures are marked for identification A and B, respectively, November 27, 1899.)

WILLIAM HERTZ, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the Architectural Works at One Hundred and Thirty-sixth street and East River. I am bookkeeper and confidential man. We burn soft coal there. We have no smoke consumer. We have never been prosecuted. I never saw any inspectors there looking it over. We have been using soft coal for the last two year.

JOEL S. HARRIS, being recalled, testified as follows:

Examined by Mr. Moss:

On the 19th day of October I saw Mr. Ludwig, of Ludwig & Co., manufacturers of upright pianos. I had a conversation with him. He said that the people in the neighborhood were making complaint about his smoke, that he never received any notice from the board of health. They had gone over the plant, and they had never said anything about his burning soft coal.

HARRY C. PALMER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the Central Union Gas Company, One Hundred and Thirty-eighth street and East River. We burn soft coal over there. Not for fuel purposes. We carbonize it

to make coal gas. We burn for fuel coke, pea and anthracite dust. Coal dust does not make smoke. Considerable smoke does not come from our chimneys. It comes not from the chimneys. It comes from our retort house. We have never had any complaints from the board of health about it. Not that I know of. The superintendent would know about that. I don't know of any complaint.

JOEL S. HARRIS, being recalled, testified as follows:

Examined by Mr. Moss:

On the 26th day of October, 1899, I saw the manager of Cahn Brothers, 523 East Nineteenth street. There was smoke coming from the chimneys then. The manager said it was on account of the burning of rubber that the smoke came out. They said there was no inspector made a complaint of any kind.

JOHN R. WOOD, being recalled, testified as follows:

Examined by Mr. Moss:

Those photographs that you now show me were taken of the Yellow Pine Company, Long Island City. That picture represents smoke coming from the stack as I saw it. I took the photograph on October 19th, 1899.

Mr. Moss—I offer these three photographs in evidence for identification.

(The photographs are marked "For identification, C, D and E, November 27, 1899, respectively.")

The Witness—Another picture. That represents the New York Sugar Refining Company, Long Island City. That was taken on the 9th day of October, 1899. I took it. That dark spot filling up a considerable portion of the card on the right hand side is black smoke.

Mr. Moss—I offer that picture for identification.

(The picture is marked "For identification, Exhibit F, November 27, 1899.")

The Witness—This is the Queen's County Oil Works. I took that picture on the 19th day of October, 1899. It shows the smoke as it existed then.

Mr. Moss—I offer the picture for identification.

(The picture is marked "For identification Exhibit G, November 27, 1899.")

The Witness—Maurice J. Powers is particularly interested in the Automatic Smoke Preventer Company. I saw Mr. Powers in regard to these matters. He said he was interested in the Automatic Smoke-Preventer Company and he gave me a letter of introduction to Mr. Bowes, of 29th street, the Bowes Iron Works, to show me an exhibition of the automatic smoke-preventer. I did get such an exhibition of it. I saw the engineer there. I was referred to the engineer. I saw Mr. Bowes's engineer there. He showed me around. He represented the smoke-preventer as preventing smoking. He said it cost different prices. He said it cost to manufacture twenty-five to thirty-five dollars at the most. He said that it sold for $200. He said the board of health approved of it. The boilers then that I saw were equipped with this smoke preventer. They prevented smoke and at times they did not. I saw smoke coming from these very chimneys to which I was sent by Maurice J. Powers. These five pictures represent the smoke coming from those very chimneys.

Mr. Moss—I offer those five pictures in evidence for identification.

(The pictures are marked "For identification H to L" both inclusive, November 27, 1899, respectively.)

The Witness—I also visited Dr. Betts of the health board on the 7th of October. I talked with Dr. Betts about this automatic smoke-preventer. He said they had a number of reports that were very good on the automatic smoke-preventer. It was the only preventer that they had any reports that were favorable about. He said the board of health approved of it. He said that they were, in substance, the only device that had no complaints against it.

Mr. Moss—(to Dr. Betts.) Have you the reports on those, Dr. Betts?

Dr. Betts—I have not. There is not a single report about any of these smoke consumers.

AFTERNOON SESSION, 2 O'CLOCK P. M.

The committee met pursuant to adjournment.

Present—Mr. Mazet (the Chairman), Mr. Costello and Mr. Hoffman.

Mr. Moss—Dr. Betts, you have produced a list of the prosecutions in smoke cases, have you?

Mr. Betts—Yes, sir.

Mr. Moss—I offer it in evidence. That is from the health department, and in the matter that we were examining into this morning. The following is a copy of the list:

LIST OF SMOKE CASES PROSECUTED BY THE DEPARTMENT OF HEALTH SINCE JANUARY 1, 1898, GIVING NAME, LOCATION, BUSINESS AND DISPOSITION.

Thomas G. Patterson, northeast corner 20th street and 11th avenue, lumber mill, fined in Part II, General Sessions, May 26, 1899, $25.

New York Com. Steam Laundry Company, 554 West 25th street, laundry, fined in Part II, General Sessions, May 26, 1899, $25.

Manhattan Electric Light Company, 425 East 24th street, power house, fined in Part I, General Sessions, May 22, 1899, $25.

Frederick Nelson Dubois, 404 West 25th street, lead pipe factory, fined in Part III, General Sessions, March 24, 1899, $25.

James Lyall, 541 West 23d street, coffin manufactory, fined in Part III, General Sessions, March 30, 1899, $25.

Hencken & Willenbrook, 94th street and 1st avenue, kindling wood factory, fined in Part II, General Sessions, May 9, 1899, $50.

Jacob Doll, 402-8 East 30th street, piano factory, fined in Part II, General Sessions, May 22, 1899, $25.

Jacob Leonhardt, 334-36 East 23d street, marble works, fined in Part II, General Sessions, May 22, 1899, $25.

Fred. S. Meyer, 310-22 East 75th street, factory building, fined in Part II, General Sessions, May 23, 1899, $25.

John Leonard, 362-70 Avenue A, rolling mill, fined in General Sessions, May 20, 1899, $25.

John Hanken, 465 Greenwich street, power building, fined in General Sessions, $25.

Stewart House, C. C. Wellman, proprietor, Broadway and 41st street, hotel, fined in General Sessions, March 21, 1899, $50.

George F. Hall, 156 Baxter street, power building, fined in General Sessions, February 28, 1899, $50.

Peter Fenelon Collier, 523 West 13th street, publishing house, fined in General Sessions, March 23, 1899, $25.

Mt. Morris Electric Light Company, Julius May, president, 96-8 Vandam street, power house, pending in General Sessions.

Ferguson Bros., 433-35 West 31st street, saw mill, dismissed by grand jury, July 27, 1899.

Windsor Hotel, Warren F. Leland, proprietor, 571 Fifth avenue, hotel, indicted by grand jury. (Mr. Leland is now dead.)

Jeremiah D. Hull, 4-6 Tompkins street, saw mill, dismissed in General Sessions.

S. Ottenberg Bros., 318-26 East 23d street, cigar manufactory, fined in the criminal branch, Supreme Court, November 22, 1899, $25.

S. Ottenberg, 380-84 Second avenue, cigar manufactory, fined in the criminal branch, Supreme Court, November 22, 1899, $25.

John McClave, southwest corner 22d street and 11th avenue, lumber mill, fined in the criminal branch, Supreme Court, November 22, 1899, $25.

The Henry Herman Lumber Company, 334 Delancey street, lumber mill, pending in General Sessions.

H. E. Taylor & Company, 510-14 East 72d street, cotton factory, pending in General Sessions.

Wm. Joseph Sheppard, 151-53 East 128th street, planing mill, arrested on October 31, 1899, for Special Sessions.

Michael J. Dempsey, 513 Eleventh avenue, rolling mill, warrant obtained.

Central Lard Company, George Lyons, secretary, 522 West 34th street, lard refinery, pending in General Sessions.

Thomas Watson, 533 West 35th street, machine shop, dismissed by grand jury, September 14, 1899.

Wm. P. Youngs & Bro., 434 East 10th street, lumber mill, fined in General Sessions, Octoger 19, 1899.

W. J. Saulspaugh, 704 East 12th street, planing mill, discharged by city magistrate, November 19, 1899.

Michael Bayerdorf, 440 Eleventh avenue, planing mill, warrant obtained, hearing November 27, 1899.

American Carbonate Company, 424-34 East 19th street, manufacturers of carbonic acid, pending in General Sessions.

Brady & Hauptman, 406-11 East 104th street, iron works, pending in Special Sessions.

Dorenberg & Goodman, 411 East 8th street, box factory, fined in Special Sessions, November 13, 1899, $25.

Hugh Getty, 276 Ninth avenue, lumber mill, dismissed in City Magistrate's Court, November 19, 1899.

J. Malloy & Co., Keppler avenue and 238th street, contractors, pending in General Sessions.

United Electric Light and Power Company, First avenue and 29th street, electric light plant, fined in Special Sessions, October 16, 1899, $25.

Linkes & Bros., 523 West 19th street, planing mill, fined in Special Sessions, November 18, 1899, $25.

Morgan Iron Works, 814 East 9th street, iron works, fined in Special Sessions, October 13, 1899, $250.

Felix Mulgrew, 471-75 East 10th street, planing mill, fined in Special Sessions, October 23, 1899, $50.

Louis Marx, 131-33 Chrystie street, factory building, discharged by city magistrate, November 2, 1899.

Farmers Feed Company, 76th street and Avenue A, factory building, pending in General Sessions.

Henry Cathcart, 647 West 50th street, ladder factory, discharged by city magistrate, October 30, 1899.

Manhattan Street Railway Company, 145th street and Lenox avenue, power house, dismissed in General Sessions on technical grounds.

David S. Brown, 51st and 52d streets and East River, soap works, warrant obtained November 24, 1899.

Mr. Moss—I want to offer in evidence a letter from Maurice J. Powers:

Telephone 1934 Cortlandt.

AUTOMATIC SMOKE PREVENTER COMPANY,

907 TEMPLE COURT BUILDING,

CORNER NASSAU AND BEEKMAN STREETS.

NEW YORK, *October* 5, 1899.

Mr. J. J. BOWES—Will you kindly show the working of the smoke-preventer to Mr. Wood of Youngsville, Pa., and greatly oblige.

Yours truly,

M. J. POWERS.

Mr. Moss—That was enclosed in an envelope entitled "Office of the Aqueduct Commissioners, 280 Broadway, Room 209, New York. From M. J. Powers to Mr. Bowes, 227 West Twenty-ninth Street."

Dr. MICHAEL BERNARD FEENEY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am chief sanitary inspector in the health department. I was appointed in March, 1898, I think, through the friendship of Senator Sullivan. I am not connected with the Hickory Club. I don't know whether the president of the department, Colonel Murphy, is the president of the Hickory Club. I can't say that I have ever heard that he was. I don't know that he is.

Mr. Moss—I want to ask you if you remember that on or about the 27th day of June of this year Dr. Roberts, of your department, called the inspectors and the policemen together, and addressed them about the making of citizens' complaints. Do you remember that?

The Witness—Yes, sir.

Q. And after he had finished making his remarks you arose and said substantially, "Gentlemen, the Hickory Club, of which our president, Colonel Murphy, is the president, has an outing on August 6th. Tickets are $5 apiece. Policemen will get their tickets from Mr. Kennedy, inspectors from Mr. Willis." Do you remember that? A. I don't remember that.

Q. Did anything like that happen? A. Not to my knowledge. I said nothing of the kind. I did not notify the inspectors, or policemen, at any time, about the outing of the Hickory Club. I did not suggest to them to buy tickets. I don't know whether they did buy tickets. I don't whether the policemen and inspectors prior to July 4, 1898, contributed $5 apiece to the celebration of Tammany Hall. Not that I know of. I heard nothing of it.

Mr. Moss—In addition to the complaints that came to the committee, we find this published in the newspaper called "The Press":

HAD TO BUY PICNIC TICKETS.

PATROLMAN MAKES CHARGE AGAINST BOARD OF HEALTH OFFICIALS.

To the Editor of the Press:

Sir—Dr. Roberts of the Board of Health ordered all policemen doing duty in the tenement-house squad to report at the Criminal Court Building at 9 a. m. sharp on June 28th. There, on the ground floor, behind closed doors, they were told that M. C. Murphy, who is president of the Board of Health, is also president of the "Hickory Club," which is to give an outing. Each man was expected to buy tickets (price $5), which could be had from Patrolman Kennedy, who does clerical work in the office.

By giving this some investigation you will find everything in it true.

A PATROLMAN.

Dated July 3, 1899.

Mr. Moss—Do you say you have no knowledge or information whatever on that subject?

The Witness—No knowledge of Dr. Roberts or myself saying anything of that kind.

Q. Who else said that? A. I don't know anything about saying anything of that kind.

Q. But was anything else said about that? A. I didn't see anything except strictly official business on that day. I did not hear anything, official or otherwise, about inspectors or policemen making contributions or buying tickets for that outing. Nothing whatever.

Mr. Moss—Is Asa Bird Gardiner present? (No answer.) Will you call him, Mr. Chairman?

The Chairman—Asa Bird Gardiner? He does not seem to be here.

Mr. Moss—Will the stenographer note the failure of Mr. Gardiner to answer? I will offer for identification a true copy of the subpoena served upon Mr. Gardiner.

(The subpoena is marked "For identification Exhibit AA, November 27, 1899.")

Mr. Moss—I will read in evidence the affidavit of Edward J. Reardon, proving the service of the subpoena and the particulars of that service:

State, City and County of New York, ss.:

Edward J. Reardon, being duly sworn, deposes and says: I am over the age of 21 years, and in the employ of Frank Moss, counsel to the Assembly investigating committee, as special agent. On the 25th day of November, 1899, at about 1.13 p. m., in the elevator of the Criminal Court Building, in the borough of Manhattan, I served the annexed subpoena on Col. Asa Bird Gardiner, district attorney of the county of New York, by delivering to and leaving with him personally a copy thereof, signed by Hon. Robert Mazet, chairman of said committee. Deponent further says that he knew the person so served to be the said Asa Bird Gardiner, the person to whom said subpoena was directed.

On November 24, 1899, about 11.10 a. m., I called at said Gardiner's office with Orrin B. Booth, and saw a police officer in charge of door and asked him whether said Gardiner was in his office, and was informed that he was, but that he was a very busy man. I informed said officer that I had a subpoena of said committee for service upon said Gardiner. Thereupon said officer entered Mr. Gardiner's office, came out and said that he had seen the latter's private messenger, who stated that Mr. Gardiner had gone to see Judge Truax at the County Court House. I called there with Mr. Booth and was informed by the clerk of Special Term, Part I, that he did not think Mr. Gardiner had been there. I returned to the Criminal Court Building with E. A. Whitney and saw the same officer who said Mr. Gardiner was not in, and we waited in his office until about 5.30 p. m., when the office was closed.

On November 25, 1899, I called again at the office of Mr. Gardiner with said Whitney about 9.30 a. m. At about 10.30 I asked the same police officer whether Mr. Gardiner was in, and was informed that he was not. We remained about the office until about 1 o'clock, when we were informed that Mr. Gardiner would leave the building by the way of the "Bridge of Sighs" and the Tombs. Mr. Whitney thereupon watched the Tombs and deponent remained in the Criminal Court Building. About five minutes past one I inquired of a young man, whose name I believe is Leon, whether Mr. Gardiner had arrived and he said "No." I then went to the toilet-room on said floor and as I was leaving I saw Mr. Gardiner leave his office with his brother and two other men and enter the elevator. I followed and went to the ground floor. Mr. Gardiner informed the elevator man that he would go back and I remained, and as the elevator was ascending I handed the subpoena to him, and told him it was a subpoena from the Assembly investigating committee, calling for his personal attendance and for his papers in his possession. He said "I will not receive it, this is a half-holiday and is not good service, and I will not receive it." I touched him with it on his right shoulder and it fell to the floor of elevator and I left. After it fell to the floor he took hold of my arm and said he had a mind to have me arrested. I said I had served him, and he said "You're a damned liar."

EDWARD J. REARDON.

Sworn to before me, this 25th day of November, 1899.

SAMUEL MARCUS,
Notary Public, New York County.

State, City and County of New York, ss.:

Edgar A. Whitney, being duly sworn, says: I am an agent in the employ of Frank Moss, counsel to the Assembly investigating committee, and am the person referred to in the foregoing affidavit, which I have read, and state that the same is true.

EDGAR A. WHITNEY.

Sworn to before me, this 25th day of November, 1899.

SAMUEL MARCUS,
Notary Public, New York County.

When the testimony in the Sullivan case was given the indictment was not there. I will ask to have marked for identification the indictment against Paul Sullivan, filed October 27, 1897, for receiving stolen goods.

(The indictment is marked, "For identification, Exhibit BB, November 27, 1899.")

Mr. Moss—the same in the case of Orlando J. Hackett, two indictments, filed September 15, 1899, one for grand larceny in the first degree and the other for grand larceny in the second degree.

(The two indictments are marked respectively "For identification, Exhibits CC and DD, November 27, 1899.")

WILLIAM N. PENNEY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am assistant special to the clerk of the county. I am a clerk in the criminal branch of the Supreme Court—assistant clerk. I am also connected with the clerk's office of the General Sessions—deputy clerk. These documents here are all indictments. I saw them being put together.

EDWARD CHAMBERS, being duly sworn, testified as follows:

Examined by Mr. Moss:

These cases here which I brought from the Court of General Sessions some are indictments dismissed and some are bail discharges They are all indictments dismissed or bail discharges. There is a large number, as you can see.

WILLIAM N. PENNEY, being recalled and further examined, testified as follows:

Examined by Mr. Moss:

This book is the minute book of the criminal branch of the Supreme Court. There is a term of the Supreme Court of the criminl branch now on. It began the 6th of November. Mr. Justice Fursman is holding it. At this moment it is not in session.

Q. What assistant district attorney is in charge of the calendar? A. John F. McIntyre, and to-day John Schwarzkopf. Mr. McIntyre has had charge substantially of all the calendars before the criminl branch of the Supreme Court for some time—since the present administration began. Substantially all the cases of homicide had been moved from the Court of General Sessions to that term. There are some exceptions. Two cases have been actually tried and a verdict of the jury obtained in the criminal branch of the Supreme Court this term—Dudley Smith, George W. Dorney; manslaughter in the first case; the other was murder. In the case of the people against Dudley Smith, it appears that the trial began on November 2d and was continued on the 3d of November, and on the 3d of November, Friday, there is this entry: "By consent, the jurors separate until the opening of court, Wednesday morning next. Ordered by the court that the present October term of this court be continued for the purpose of finishing the trial of the indictment against Dudley Smith, and that this court, when it adjourns this day, meet on Wednesday morning next, the 8th of November, and the said trial proceed each day thereafter until its conclusion." The next entry is on the 8th of November, Wednesday morning: "The court meets pursuant to adjournment. The trial continued from Friday last. The jurors called and appear. Without leaving the bar, the jurors say they find the defendant not guilty. The court adjourns." "Thursday morning, November 18, 1899, the court met pursuant to adjournment. Present: Hon. Edgar L. Fursman, People against George W. Dorney; John F. McIntyre, John Schwarzkopf, for the people; Glanville G.

McIntyre, for the defendant. The jurors balloted and sworn. The jury, without leaving the bar, say they find the defendant not guilty. These two cases that were tried resulted in verdicts of not guilty." And that is the whole business so far as actual trials are concerned. Glanville G. McIntyre is a son of Assistant District Attorney McIntyre. Glanville G. McIntyre has appeared not so frequently as counsel for the defendent in cases in the criminal branch—murder cases. I could not say in our branch. He has been there sometimes. He sometimes appears as counsel for the defendant. I can't say he is associated with John Palmieri. I don't know that. John Palmieri appears frequently for defendants at that part—principally in Italian cases. There are a good many of those Italian cases. Mr. John F. McIntyre, the assistant district attorney, prosecutes those, as he does the others. It is a fact that in a good many of those cases the trial was actually opened and some witnesses examined, and after the trial was actually begun a juror was withdrawn and the plea of manslaughter was taken. That is so. The book shows it. Not a great many. We don't have so very many in that branch. There are some there you will find. I remember one case of young Mr. McIntyre and Mr. Palmieri appearing together for defendants. I don't remember any more. I did see them in one case. I could not tell which one it was, though; but if they appeared together it would appear on the record—that fact. We had 100 talesmen called for that part first on the present term, out of which probably fifty or less than fifty were qualified—forty-five. Then we had a hundred and fifty after that. We probably had an attendance of—well, maybe seventy. I could tell you exactly if I had known you wanted it.

Q. The total business transacted before these talesmen as jurors in the box were these two cases? A. We had jurors in the box in other cases.

Q. But you did not use them? A. Yes, sir; we went a certain distance. I understood you did not want the cases for——

Q. I am only asking for cases that were actually submitted, Those were the two cases? A. Yes, sir; we had some, as you will see, where a juror was withdrwn after they had been impanelled.

Mr. Moss—I notice a number of orders entered at once, affecting the compensation of Mr. Palmieri.

The Witness—Whatever is there is the record, Mr. Moss.

Mr. Moss—On the very same day that the case was tried?

The Witness—Probably.

Q. Is there one here fixing Mr. McIntyre's fee as well? Look at the Pechanando case there, in the other book. 519? A. That is on the date of June 22.

Q. Then there was no term of that court between June and October, was there? A. It ran into July for a short time. Between July and October there was no term of that court. Then in June I find this case of Pechanando. Glanville G. McIntyre for the defendant; John Palmieri for the defendant. There is your case where McIntyre and Palmieri appeared together for the defendant. It is a case of murder. That is one of those Italian cases. The prosecutor was John F. McIntyre; Forbes J. Hennessey. "At 11.30 a. m. the jury returned to the bar, saying they found the defendant not guilty." That was on the 22d of June. The order was entered giving Mr. Glanville G. McIntyre his compensation. The same date, June 22d. The compensation was $500 for counsel fee and $58.80 necessary expenses incurred. That is the full legal fee. The impannelling of the jury was begun on the 19th of June. The case was continued on the 20th, the 21st and a verdict rendered on the 22d of June.

By Mr. Hoffman:

Besides the two cases that I have spoken of, of which there were actually trials in the criminal branch of the Supreme Court, there were other cases disposed of during the month of November. Probably six or seven other cases, without trial. I could tell exactly if I went through the books. A number of cases. In

addition to the trials. The same cases I say were partly tried, and a juror withdrawn after the case was on. The juror was withdrawn. Usually because the defendant wanted to plead guilty. I remember of an instance during this present term of the criminal branch of the Supreme Court where the trial had been started, and in the course of the trial the juror withdrawn and the defendant pleaded guilty.

By the Chairman:

That was where the plea for a minor offense was accepted. In all these cases where pleas were accepted they were for a minor offense.

By Mr. Moss:

The total number of cases of all kinds that were disposed of in all ways in that November term, I should think were about twelve in all, and ten of the twelve were made up of the taking of pleas. There were two misdemeanor cases and one case of grand larceny and the others were homicide cases. That would made eight homicide cases. The terms of punishment—one was sent up for life and the others were sent for terms varying from five years in states prison to six months in the penitentiary, according to the grade.

Q. There were cases where pleas were taken on indictments of murder, where the punishment was six months in the pnitenitary? A. Where the case was manslaughter. Pleaded manslaughter.

Q. Was the charge murder? A. In some cases, yes, sir.

Q. The plea was manslaughter? A. Yes, sir.

Q. And in some cases the penalty was six months? A. Yes.

FRANCESCO PECHANANDI here took the stand.

(The witness was sworn by the Chairman.)

By Mr. Moss:

I don't remember on what day was my trial.

By the Chairman:

It was in June.

Mr. Moss—The record here shows that the case was removed to the Supreme Court on the 5th of June. The minutes show that the order appointing Glanville G. McIntyre counsel for the defendant was entered on the 5th of June. The trial was commenced, as Mr. Penney testified, on the 19th of June and continued on the 21st and ended on the 22d. Judge Werner charged the jury at 10.55. The jury returned at 11.30 and brought in a verdict of not guilty.

Mr. Hoffman—Judge Fursman appointed Mr. McIntyre, or assigned Mr. McIntyre, as counsel for the prisoner.

By Mr. Moss:

I kept a saloon at 233 Elizabeth street, and the man who died was Pacella. Mr. McIntyre was my lawyer. I did know Mr. Palmieri. Mr. Palmieri did not tell me to have Mr. McIntyre, I wanted to try myself. I had Mr. Palmieri first, and I didn't like him and I changed my lawyer. I changed to Mr. McIntyre.

Q. Why did you not like Mr. Palmieri. A. Just in the head. I had not paid Mr. Palmieri. I had not paid him anything. I did not pay Mr. McIntyre. Nobody asked nothing about it to me. No people got a cent. Some of my friends told me about Mr. McIntyre. Some man living at the Tombs saw me. Some man from the Tombs that knew him came over to me. I didn't know his name. There is some Irish people.

Q. Now, can you tell us anything about the person?—Do you not know where he lives—that told you about McIntyre? A. No; the same place as Mr. Palmieri, in the office.

Q. Mr. McIntyre is in the same office with Mr. Palmieri? A. I think so, yes, sir. Not sure, no, no.

Q. Did you ever see Mr. McIntyre in Mr. Palmieri's office? A. Yes, sir. I couldn't go myself but my wife went. I was in prison. Mr. Palmieri did not say to employ Mr. McIntyre. He did not tell me or my wife to employ Mr. McIntyre. No, I sent

it myself in a letter in the Tombs. Nobody asked me. I don't know what was the name of the man that came to me in the Tombs. I live in one cell. He went away about a month. He was another prisoner. I don't know what is his name. I don't know what is his address. I did not agree to pay Mr. Palmieri something if I was acquitted. Supposing I was not convicted, I was not to pay Mr. Palmieri something. No. I don't pay, not a cent. I had that saloon about five years. It was my own saloon. I paid $40 a month rent. I had two children and my wife. I did not have any other business besides that. It was closed up on the business now. I have got no business at all.

Q. Who owns the house in which the saloon was? A. I got a lease to myself. I got a lease for five years. Mr. Marask was the landlord. I have not sold my saloon. It is all closed up. That was while I was in prison. The collector take the license. He keeps the license and close up the business. The brewer had the license.

JOSE DONATO, called as a witness:

The Chairman—Do you know what an oath is? When you swear to tell the truth?

The Witness—Yes, sir.

The Chairman—Do you understand when you swear to tell the truth?

The Witness—Not much.

(The chairman then swore the witness.)

By the Chairman:

Q. Do you understand that? A. Not much, no.

Q. You don't know what an oath is? A. No.

Q. To swear to tell the truth? A. No.

Q. Do you understand that? A. No.

The Chairman—The witness says he does not know what an oath is and does not know the meaning of it.

By Mr. Moss:

Q. How was it you testified in the case of Pechanandi? You testified in his case, did you not? A. Yes, sir.

Q. You testified upon the trial? A. I understand.

Mr. Moss—We want you to swear to tell the truth. That is all. I think he understands an oath perfectly.

The Chairman—He says he does not.

The Witness—I don't understand much.

Mr. Hoffman—He might testify with the aid of an interpreter.

Mr. Moss—I think he understands it sufficiently for you to swear him.

The Chairman—I have administered the oath.

By Mr. Moss:

I knew this man that was called Pacella. He was killed at 233 Elizabeth street. Mr. Pechanandi's saloon. I did not see him killed. I saw the knife, and I saw who had the knife, and I saw the knife go into Pacella, and then I was called before the grand jury. First I was before the coroner. After I had gone before the coroner Mr. Palmieri sent to me, Mr. Palmieri, the lawyer. Mr. Palmieri told me what to testify to. He said to tell the judge that the fellow who had the knife ran away and that his name was Nicola Guaradella. I told the police officer that Pechanandi used the knife, and that was true. It was Pechanandi that had the knife and not Guaradella, and it was Palmieri who told me to tell the judge that it was Guaradella. I did not tell the judge so. I did not tell the coroner that it was Guaradella.

Q. Did you not tell the coroner so? A. Yes, yes.

Q. That was because Palmieri told you to do so? A. Yes. Then when I went before the judge I told the truth. I told the judge that it was Pechanandi, but they brought up my testimony that I had given before the coroner and they showed that to the judge, and that made a weak case. Pechanandi was discharged.

Mr. Moss—Now, Mr. Chairman, the important point of this testimony is not simply that John Palmieri, who was one of the attorneys for Pechanandi, had broken down the prosecution's case by tampering with the witness. That would be one thing; but hardly important for us. But the important point for us is that the matter having been discovered, it was put into the form of an affidavit by one of the assistant district attorneys, and in that way it is proven that the fact was known to the district attorney's office and that they believed in it sufficiently to make an affidavit; that it was represented to the court——

The Chairman—Who makes the affidavit?

Mr. Moss—Mr. Michael J. Sullivan, deputy assistant district attorney. And notwithstanding this affidavit, this very important fact being brought to the attention of the court, Mr. Palmieri and Mr. McIntyre continued to be assigned to the defense of these cases and continued to get acquittals in the Supreme Court, to which, for better treatment, the murder cases have been taken from the General Sessions. Permit me to read this affidavit here; and I must say that this affidavit, coming out in this way, is very much to the credit of Mr. Sullivan. It shows him to be a conscientious man:

Michael J. Sullivan, being duly sworn, deposes and says that he is a deputy assistant district attorney in and for the city and county of New York, and that on the 22d day of March, 1899, as such deputy assistant district attorney he attended at an inquest held at the criminal court building, in the county of New York, by Hon. Jacob E. Bausch, one of the coroners of the county of New York, and a jury to inquire into the cause of the death of one Antonio Pacella. The above-named defendant, Frank Pechanandi, was present at such inquest and was represented by his counsel, John Palmieri, Esq., who also appears as counsel for said defendant on this motion.

On information and belief that the said decedent, Antonio Pacella, was killed by a stab wound at the premises No. 233 Elizabeth street, in the county of New York, where the defend-

ant above-named keeps a liquor saloon, on the 25th day of February, 1899, and the defendant above-named was arrested shortly after said killing by Police Captain Albertson of the sixth precinct police station, charged with the commission of said crime, and Francesco Fallotico, Giuseppe Donato and Giovanni, who were present at the said premises No. 233 Elizabeth street at the time of the killing of said Antonio Pacella, were also arrested and held as witnesses.

That on the morning of the inquest, during a conversation which deponent had with Captain Albertson, he was informed by said Captain Albertson that he, Captain Albertson, had had an interview with said Francesco Fallotico, Giuseppe Donato and Giovanni ————, through Officer Petrosino, who is an Italian, and that said witnesses made a statement of what they knew of the killing of said decedent to said Captain Albertson, through Officer Petrosino, and as a result of the statements made as aforesaid by said witnesses, he caused Francesco Fallotino and Giovanni ———— to be confined in the House of Detention as witnesses, where they have been since the 26th day of February, 1899, and still are, and that he permitted Giuseppe Donato to go home on his promise to appear as a witness when wanted, so impressed was he with the truth of the statement made by said Giuseppe Donato, and the sincerity and willingness with which he made same.

That the said Giuseppe Donato was subpœnaed as a witness by said Captain Albertson to appear at the inquest and did appear, and was standing in the hallway outside the coroner's court when Mr. Palmieri, defendant's counsel, attempted to hold a conversation with said Donato, but was prevented by Captain Albertson from so doing.

That at the morning session of the inquest, and after Officers Summers and Petrosino had been called as witnesses and testified, Giuseppe Donato was called as a witness and, after having been sworn and examined by Coroner Bausch, testified to an entirely different statement of facts from the statement he (Donato) had made to Captain Albertson at the interview above mentioned.

That said Donato was then asked by Coroner Bausch if he knew who killed Pacella, and he answered that Nicola Guaradella had killed him.

That deponent then examined said Giuseppe Donato, and in answer to deponent's questions said Donato testified as follows: "When I testified that Nicola Guaradella killed Antonio Pacella, I swore falsely; I did so because I was told to do so by Mr. Palmieri, Pechanandi's lawyer; that I have been to see Mr. Palmieri at his office on two occasions; that I was brought there by a man named Mike; that when I first visited Mr. Palmieri's office he asked me what I knew about the case and I told him the truth about the killing of Pacella; that after telling Mr. Palmieri the truth he told me if I told the same story on the witness stand, that Pechanandi would be sentenced to death; that if I wanted to help Pechanandi that I must swear that Nicola Guaradella killed Pacella, and because Mr. Palmieri told me to testify that Nicola killed Pacella, I did so testify, and in so testifying I swore falsely." That during recess deponent again interviewed said Donato, through an interpreter, and said Donato told this deponent the same story, and said Donato made an affidavit to the facts above set forth, a copy of which is hereto annexed and made part thereof.

That after hearing all the evidence the coroner's jury brought in a verdict that the decedent came to his death by a stab wound inflicted by some person unknown to them, and the defendant was discharged by the coroner. That this deponent caused the defendant above named to be immediately arraigned before Hon. Joseph M. Duel, one of the city magistrates then sitting in the First Magistrate's Court, and at deponent's request the defendant was remanded until the following morning at 9 o'clock for examination. That on the following morning at the hour set for the examination of the defendant above named in the Magistrate's Court, two of the witnesses for the prosecution were not present in court, and at deponent's request the examination was adjourned till 2 o'clock p. m. of the same day.

That in the meantime deponent had another interview with said witness Giuseppe Donato, through an interpreter, and as a result of said conversation, and after a consultation with Hon. Asa Bird Gardiner, district attorney of the county of New York, the facts were presented to the grand jury and an indictment was filed by the grand jury against the defendant above named, charging him with murder in the first degree in having killed Antonio Pacella at No. 233 Elizabeth street, in the county of New York, on the 25th day of February, 1899.

That on the day of the inquest Mr. Palmieri, defendant's counsel, admitted that the witness above named, Giuseppe Donato, had been to his office to see him, and that he had a conversation with said witness. That deponent also had a conversation with the man named Mike, whom said Giuseppe Donato swore brought him to Mr. Palmieri's office, and that said Mike admitted to deponent that he went to Mr. Palmieri's office with said witness Giuseppe Donato, and the said Mike further said that he was a friend of the defendant's, above named, and that he (Mike) had retained Mr. Palmieri as counsel for said defendant.

It is respectfully submitted that the defendant's motion for an inspection of the minutes of the grand jury herein should be denied.

This is sworn to by Michael J. Sullivan on the 29th day of March, 1899, before Thomas F. Byrne, Notary Public, New York county.

Then follows Mr. Donato's affidavit, in which he says:

I was present at 233 Elizabeth street on the night of February 25, 1899, at about 10.30 p. m, when a wordy dispute arose between Tony Peccello and Frank Pechinenda, which precipitated a battle between them. The story I told the police of the Eleventh precinct immediately after the murder was a true story of the affair. Since that time, however, I have been summoned to the office of the counsel Palmieri, No. 65 Park Row, on two separate occasions. During these interviews with the said counsel I was instructed

to testify that I saw one Nicola Guarliardo strike the deceased with a knife. I came to the coroner's court this 22d day of March, 1899, with the distinct understanding that I was to testify as advised by the said Palmieri, and I now realize that while on the stand at the morning session of the inquest into the death of Tony Peccello, that I deliberately and wilfully told an untrue story of the occurrence, or, in other words, repeated the story of Nicola Gualiardo striking the deceased with a knife as taught me by the said counsel, Palmieri. I am now willing to resume the stand and tell the true story of the occurrence. "Mike," a saloon keeper in Mott street, took me to Palmieri's office and overheard the conversation I have testified to.

This is signed by Joseph Donato, on the 22d day of March, 1899, before Jacob E. Bausch, coroner.

I offer for identification an indictment of the People against Frank Pechanandi, filed the 23d of March, 1899, for murder in the first degree.

(The indictment is marked "For identification Exhibit EE, November 27, 1899.")

Mr. Moss—I call the attention of the committee to the fact that the minutes produced show upon the trial that the defendant was represented jointly by McIntyre and Palmieri. At that time the district attorney's office had opposed, and the court or some branch of the court, had been made aware of that, a motion to inspect the minutes. Palmieri summed up for the defendant.

ALEXANDER C. BROWN, being duly sworn, testified as follows:

Mr. Moss—I offer for identification the indictment in the case of the People against Bertha Schaud, filed March 24, 1898, for manslaughter in the first degree—a case of abortion.

(The indictment is marked "For identification Exhibit FF, November 27, 1899.")

By Mr. Moss:

Q. Did you know a woman by the name of Lockwood, for whose death this indictment was found? A. She gave that name. It was a charge of abortion, I believe. I did know of the Lockwood woman coming from the house of Bertha Schaud. On one Sunday in January she told us she was going to her aunt's to remain there several days. She had lived with us. She was a member of our family, which consisted of my mother, and she, and I. I think on Monday night I went to either Boston or Philadelphia, as near as I can recollect now, and returned on Wednesday night. Then my mother told me that she was in a sanitarium or hospital, or whatever she described it as, and was quite well enough to return. I went after her and she came back to the house with me. Her condition was such that I called in Dr. Jarman, and that night she was taken to the Roosevelt hospital and died the following Monday. The night that she was taken there was Thursday night, as near as I can recall, and she died on Monday.

Q. Did she make any statement about the person who had caused her sickness, who performed the operation? A. Not to me, and, to the best of my knowledge, not to my mother. She made the statement to the coroner, I believe. And in that statement, I am almost sure, she mentioned Bertha Schaud. I believe it was a matter of identification.

Q. There is no doubt that you brought this woman from Bertha Schaud's place, is there? A. I brought her from the place where she was. Fifty-third street, near Second avenue. The number I can't tell you. Between Second and Third avenues. I think it was, as near as I can recollect. On the south side of the street, I think, near Second avenue. I did make an affidavit before the coroner. I did state these facts in the second affidavit; yes, sir.

Dr. GEORGE W. JARMAN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am a physician. I saw this Lockwood woman after she had been brought from the house in Fifty-third street. I discovered the cause of her troubles. I will have to make an explanation of that, in order to explain how I discovered the cause of her trouble. I was sent for to see this young woman, and entering the room I found her not in bed but on a couch, a lounge, with a wrapper on, and apparently distinctly ill. In getting a history of the case, being the first time I had ever seen this woman, I found out that there had been—she informed me, in fact, that there had been a miscarriage induced—an abortion produced; and taking the temperature, taking her pulse, I made up my mind she was too sick a woman to be treated in this boarding house, or flat house, or apartment where she was. I at once advised her to be sent to the hospital. She asked me if I would see that she could get into a hospital. I told her that I would do so, and I called at once at the Roosevelt hospital. The superintendent sent an ambulance for her. She was sent for, and taken to the Roosevelt Hospital, and, as I afterwards learned, she died at the Roosevelt hospital.

Q. It was a clear case of abortion, was it? A. As I stated a moment ago, I never examined the woman at all. It was simply her statement that she made to me. There was no doubt, though, about it. I only know by hearsay about the examination made at the hospital. My information about that is, that she was operated upon in order to relieve her of an incomplete abortion. That was the case at the hospital. There was proof obtained of the fact.

Mr. Moss—Before this inquest was sequestrated, if I may use that expression, we examined it and found in it an affidavit of Mrs. Eliza M. Brown, who, I believe, is the mother of the first witness, and who was too sick to be present here to-day. There is no doubt about that. In this affidavit she stated that decedent

Lockwood told her that she was going to her aunt's at 106 West One Hundred and Second street, and that after an operation which she had the decedent Lockwood wrote her to call on her at 258 East Fifty-third street, Dr. Schaud. Mrs. Brown says she visited her there several times, and that the defendant—that is, Mrs. Schaud—told her, Mrs. Brown, on various occasions that she had operated on the decedent, and that she would be all right.

The importance of that testimony is that in the coroner's inquest there appears proof by Mrs. Brown of an admission by the defendant, Mrs. Schaud, that she had operated upon that woman, and the fact that she had operated with the intention to produce an abortion is shown by the statement that "it would be all right."

There is also an ante-mortem statement of the deceased, made to Dr. John Jerolamon, 54 West Seventy-sixth street, in which she stated that Mrs. Schaud performed the operation.

Upon this indictment is this indorsement: "In this case the evidence is so slight against the defendant that I am constrained to state that in my judgment the case should be abandoned." This is a case that was transferred from the court of general sessions to the Supreme Court. Therefore, it got into Mr. McIntyre's hands. It says, "I am constrained to state that in my judgment the case should be abandoned. I suggest that the defendant be discharged upon her own recognizance. John F. McIntyre, assistant district attorney. New York, November 7, 1898. So ordered."

Bail discharged November 7, 1898.

JULIA WASHINGTON, being duly sworn, testified as follows:

Mr. Moss—I offer for identification indictment against William Hunt, filed September 16, 1898, on the charge of rape.

(The indictment is marked "For identification Exhibit GG, November 27, 1899.")

Mr. Moss—The minutes show that this case was removed from the court of general sessions to the Supreme Court on the 23d of February, 1898.

By Mr. Moss:

I live now at West Thirty-ninth street, 408. I am the mother of Dessie Allen, against whom this crime was committed.

Q. One of the important elements of this case was the age of your daughter. The charge against this man was based necessarily upon her being under age. What is her age now? A. She will be eighteen years old the 15th of April, coming.

Mr. Moss—And this indictment was found on the 15th of September, 1898.

The Witness—I was acquainted with some gentleman in South Carolina. That is my birth home. The name of that lawyer for whom I worked is Mr. G. Duncan Ballinger. When my daughter was born I was with his uncle, Mr. Isaac Hudson. He was a lawyer himself, but all these families, I think, of the Hudson's, died out; but I cooked there, and of course they were as often in the house as they were out; and so I wrote them when I went to the Juvenile Asylum and got that other paper you see there. It was after this charge was made that I wrote down to Mr. Ballinger because they refused to take my word that she was not eighteen years old. The judge himself refused to take my word in Part II. I can't think of his name. So I wrote down to Mr. Ballinger. That is the correct letter I received.

Mr. Moss (reading)—Barnwell, South Carolina, December 22, 1898. Mrs. Julia Washington, New York. Madam: Your daughter, Dessie Allen, was, as you correctly state, born in 1882. You have not made any mistake as to the year. It seems to me that your statement as to her age would be the best evidence, even in a lawsuit. Such would be so in this state. Should this not be sufficient, I should be glad to testify to the fact formally. Yours truly, G. Duncan Ballinger.

The Witness—I have kept that letter. They called me to court. They called this child to court. I went down there and I got it back. We were to enter into Part IV. We were there at the trial, and they would not let us in because this badger case was up—the Moore case. While standing outside, Mr. Asa Bird Gardiner sent one of his clerks down to tell me that I could go on home. So he said that I could go on home, and when he needed me again he would call to me. So I heard nothing, which was about a month or more before he called for me. Then I went to Harlem, to Mrs. Smiles, who brought this child out here, even before I came, and got Mr. and Mrs. Smiles to go to court with me to identify the time when they brought her here. He says to me, "Well, you can't go into court anyway, and when we need you, you can come again." So I made three attempts at it, and never was heard. The last time they sent a subpœna. I think you have it there. That is Dessie's. I presented mine to show that I was there, but I kept hers. She was sick unto death at that proper time, and I kept that. I told them she was sick. After that, during her sick hours, my son came to me one night, and he says to me, "Ma," he says, "I saw Hunt on the street." I says, "Surely you did not." "Yes," he says, "I did see him." That is the man that committed the crime. I said, "My girl as low as this, and they let that man out. It can't be." He must have been discharged. Then in court the judge said he could not sentence this man unless I had the correct age. Then I wrote home. I went to the Juvenile asylum, and I runned all round, and I went to see the time she was placed in there, and got Mr. and Mrs. Smiles, and then went home——

Mr. Moss (reading)—"New York, October 14, 1898. This is to certify that Dessie Allen, colored, was committed to this institution on the 1st day of December, 1891, at the age of nine (9) years, and according to the law touching commitments of children to institutions, the said Dessie Allen has not reached her sixteenth birthday." This is signed by the officers of the New

York Juvenile Asylum, 106 West 27th street, and countersigned by the police court clerk.

(The paper is marked "For identification, Exhibit HH, November 27, 1899.")

Q. What part did the district attorney take to get the proof of the child's age before the case came to trial? A. He didn't make none at all. It was I, of my own will, who went and got this evidence down South and over at the Juvenile asylum. And when I went to court I could not get in with my evidence. No, sir; they turned me out. They never got this evidence, and up in the clerk's office, when I handed that paper from the Juvenile asylum, he said, "The judge may see it and may not."

Mr. Moss—Here is a most peculiar thing: "Part II, October 10, 1899. The defendant pleaded guilty of rape in the second degree."

The Witness—He did plead guilty, yes, sir.

Mr. Moss—"Part II, October 14, 1898: By leave of court, the district attorney consenting, the plea of guilty withdrawn, and now pleads not guilty."

The Witness—Well, how can he do that?

Mr. Moss—He did it.

The Witness—He is guilty.

Mr. Moss—Here is one plea by the defendant of guilty, afterwards withdrawn, and that was in General Sessions.

The Witness—Yes, sir.

Mr. Moss—And in your efforts to get testimony to corroborate your statements as to the girl's age, and you did get it——

The Witness—Yes, sir.

Mr. Moss (continuing)—You could not get into court with it.

The Witness—No, sir.

Mr. Moss—Then the case was transferred to the Supreme Court?

The Witness—Yes, sir.

Mr. Moss—Passing through the hands of Mr. McIntyre; and we have the order right here; and then he makes this endorsement: "I do not believe the story told by the complainant."

The Witness—That is a nice thing for him to say. I am her mother. Mr. McIntyre never saw me. Mr. McIntyre never saw my daughter. The only place we was was in Part II, and the judge—what was the name of the judge, Dessie?

Dessie Allen—Recorder Goff.

The Witness—Yes, before him; and Mr. McIntyre had no talk; no one had any talk with me but Mr. Honey. This appearance was before Recorder Goff.

Q. Who did you see when you were before Recorder Goff; what district attorney? A. There was none at all. I hadn't any talk with none at all.

Mr. Moss—You mentioned Mr. Honey?

The Witness—I went up to his room. He was no more to me than these other men. He didn't have a word to say for me, or anything at all.

Q. Did you not know that the district attorney had applied to Judge Goff and that Judge Goff had permitted the defendant to withdrw his plea of guilty and to plead not guilty? A. I never was in court before, and I didn't know anything about courts at all—the rules of courts.

Q. When the defendant had pleaded guilty, that was, to your mind, some corroboration of your daughter's story, was it not? A. I believe that he was guilty, Mr. Moss.

Q. But when he pleaded guilty that was to some extent a corroboration? A. Yes, sir.

Q. Now, Mr. McIntyre says he did not believe your story.

The Witness (interrupting)—He has got to believe it if he ever gives me justice. It is the truth.

Q. (continuing)—Are you quite sure you never saw Mr. McIntyre? A. Mr. McIntyre had no talk with me at all—had not

a conversation with me. The only person that had a conversation with me was Mr. Honey. We went up to his room. We was directed up there. He talked a little, but it didn't amount to anything. I was just as dumb when he got through as I was when he begun. I gave him a letter that this man's wife had written to my daughter while I was at work, housecleaning, saying to her: "Dessie, will you please say that your mother was hard on you? Wouldn't allow you to go out, and that you are nineteen years old, and don't let your mother and brother see this letter." That is a letter I gave to Mr. Honey. My daughter had received that letter. It was from his wife—from Hunt's wife. I gave that very letter to Honey.

Q. There was more corroboration? A. Yes, sir. That is what I did.

Q. How could Mr. McIntyre say he did not believe your statement? A. I can't tell. Who is Mr. McIntyre? Is he in here? I don't know him. I wouldn't know him, but he didn't have no conversation with me. All I spoke to was the judge and Mr. Honey. I did really think it was the lawyer's place, if he was going to take my case, when I told him I would have to write home——

Q. You looked upon Mr. McIntyre as your lawyer? A. I didn't know nothing at all about him. I couldn't look on some one I didn't know.

The Chairman—I want to have this letter go on the record, from the district attorney, declining to appear as a witness.

Mr. Moss—I think it is a very valuable letter to get on the record. It relieves any question as to the form of service.

The following is a copy of the letter:

DISTRICT ATTORNEY'S OFFICE, CITY AND COUNTY OF NEW YORK.

November 27, 1899.

ROBERT MAZET, Esq., *New York City:*

Sir—There was left at this office for me on Saturday afternoon a document purporting to be a subpoena duces tecum subscribed

by you, to produce to-day before a so-called Assembly Investigating Committee, two documents—neither of which, by the way, is under my control—as one is with the grand jury on a pending inquiry and the other with the court on a pending motion, decision reserved.

However, as this is the first time I have been served with such a summons, or had my attention officially called to the late Assembly resolves under which you assume to act, it becomes my duty as the constitutional counsel for the people in criminal matters in this county to reply, and I trust there will be no misunderstanding of my meaning.

Before you convened in this county for political purposes, as well as afterwards, I received a number of inquiries from your managing counsel for voluminous statistical information, which was duly furnished, precisely as I would do for a committee from any respectable source.

Having been informed you would be pleased to see me, I voluntarily appeared before you in June last, to give any information, not necessarily privileged, concerning the office I have the honor to administer; and should you have chosen to call here, its books, records and entire operations, within the unavoidable limitation referred to, would have been put fully before you.

In like manner, I would with equal readiness and as fully have acknowledged any inquiry from a committee of the State Law and Order Society, or State or City Bar Association, or Society for the Suppression of Vice, or other respectable association.

Instead of inquiring of me, concerning this office, to my exceeding astonishment you permitted your managing counsel to question me concerning an indictment for murder of exceptional intricacy and difficulty, which has taxed the energies of myself and members of my professional staff for nearly eleven months, and is now on trial.

This scandalous effort to pry into the people's case, presumably for benefit of the defendant, induced your associate counsel to follow me from your presence to say apologetically that he was opposed to such an examination in a matter sub judice.

You have now, by service of your socalled subpoena, for the first time asserted a claim of right to withdraw my attention from my public duties and the extraordinary trial in which I am engaged, to appear before you.

It becomes therefore my duty to announce a fact you well know—that you are absolutely without lawful authority to issue a supboena, or swear a witness, or to examine one.

Your only possible claim of right to require attendance by subpoena is under sections 68 and 69 of the Penal Code. Two days, however, after I voluntarily appeared before you, the supreme court criminal term dismissed an indictment found against a defendant for alleged failure to testify before the so-called Lexow committee, on the ground that when the Legislature has by concurrent resolution adjourned sine die, no committee can be continued by either house with legislative powers.

You seem to have proceeded on the assumption "Necessitas politica non habet legem."

The patience of the American people has been well illustrated in the heads of deparments of our city government, who, knowing your utter want of legal existence, nevertheless have time and again come before you, having nothing to conceal, but often kept days from their duties without being called, and often insulted on the witness stand. Even the chief magistrate of this great metropolis did not escape degrading and improper questions, and all the departments of municipal and county government have been for months retarded in their work by your never ending unlawful interference.

Judges of our courts were also called to answer questions wholly outside the purpose expressed in the Assembly resolutions, and this was done to impress upon the public a seeming lawfulness of your authority.

Judges, however, off the bench, are peculiarly unable to defend themselves, and depend on the respect our people have for the judicial office for their protection. Had they asserted their right not to appear before you, they would have disqualified themselves judicially from considering in due course your case.

Your summons to me for this month, after election, has been expected, being part of the plan of three things to be done by the Legislature and by your political associates, formulated last December, as a preparation for the presidential election, and duly communicated to me by a sincere friend and made known by me to my professional staff at their monthly consultation at the close of the December term, 1898.

The determination to punish the leader of the Democratic party in this county for his opposition to your nefarious Astoria Gas Grab Bill, before he should go abroad, forced you, earlier than intended, to introduce an untruthful resolution that "Funds were being raised by levy upon members of the police force and saloon and resort keepers, and by other contributions, for use in corruptly influencing legislation."

Of course, once started, instead of quietly waiting until November, you have had to go on, to the great joy of your paid counsel, in the vain effort to discover fraud in the several departments of municipal administration, amidst the ever-increasing indignation of our citizens, as evinced by the enormous majority on election day.

Your political associates, the plan having been disarranged, then settled on the expedient of a complaint to the Governor from so-called reformers.

All these matters are now sub judice; nevertheless you are brazenly announcing that you will also investigate.

The court of appeals has held in the case of the People ex rel. McDonald vs. Keeler (99 N. Y. Rep. 495), that "an investigation instituted for the mere sake of investigation, or for political purposes not connected with intended legislation or with any other of the matters upon which the house could act, but merely intended to subject the party or body investigated to public animadversion, would not be a legislative proceeding, or give to either house jurisdiction to compel the attendance of witnesses or to punish them for refusing to attend."

The power of a branch of Legislature to seek for information upon which pending legislation can be perfected is a statutory

power; but when the Legislature adjourns sine die, in the language of the supreme court of the United States, in Anderson vs. Dunn (6 Wheaton 204) "it ceases to exist."

The greatest of American jurists, Chief Justice John Marshall, concurred in this opinion.

Our amended State Constitution calls this a final adjournment, and gives the Governor thirty days thereafter within which to sign bills.

The Assembly to which you belonged could have sat until December 31st next.

It however deliberately decided in conjunction with the Senate that further legislation was unnecessary and abrogated its powers.

Only one way exists under the State Constitution for its resurrection, viz.: An extraordinary session of Legislature. Such a session has been held, but only those matters specifically referred to it by the Governor could be considered.

No house of legislature can, under pretense of information either as a house or by committee, inquire other than to a specific purpose. The very resolution under which you were appointed was unlawful, in that aside from the untruthful police allegation, it undertook to authorize you to inquire into the "enforement of law" in the four counties of this city and to report by February 1st next—a month after your legislative terms have expired—to an Assembly which does not yet exist.

Everything is done under law. Many ordinances from Dutch times are laws. Regulations of the board of health duly promulgated, are laws. The gas man who enters the cellar of a citizen's house on the last day of the month to see how the meter registers, does so under law. The prescribed uniform of a policeman is worn in consequence of a law.

The judicial action of the appellate divisions of the supreme court in the first and second departments, and of all the courts, are in enforcement of law; and yet the Assembly had the monstrous assumption to try to give you carte blanche to inquire where you please, as to the enforcement of probably 30,000 laws,

provided you should not inquire too closely into Ramapo water matters.

The Assembly has, in the language of the United States supreme court, ceased to exist. The part is not greater than the whole.

Your so-called powers cannot be increased nor diminished, nor your members added to nor decreased, nor a vacancy filled, nor can you be discharged, although every other elected member of Assembly besides yourselves should believe you had become unmitigated nuisances.

You cannot apply for instructions, nor can the Assembly give you instructions, because it has ceased to exist as a branch of Legislature.

You cannot, in due course, report a witness to the Assembly for contumacy, to enable it to decide whether he shall be called to the bar, questioned and imprisoned on failure to answer, or else proceeded against as for a misdemeanor under the Penal Code, because it has ceased to exist.

Your own Assembly will have nothing more to do with you, and could not, if it would, but has turned you over to report as private citizens, to something which has not yet come into existence.

The citizens of New York want no more such foundlings on their hands.

The retardation of the work in all the departments of the city government for many months, is but one of the many evils incident to your unlawful assumption of authority.

The long list of abandoned characters whom you have called before you to try and blast, by implication, the characters of public officials, who were not permitted to cross-examine, nor afforded means of defence, is a melancholy illustration of the danger to republican institutions in the assumption of such authority by an absolutely irresponsible committee.

Last month the Hon. Thomas B. Reed, in commenting on such kind of proceedings, said: "No testimony is worth having which cannot be put under the searchlight of rigid cross-examination.

Justice demands not only the truth, but the whole truth. A half truth may be the worst kind of a lie."

No tyranny is so insidious or dangerous in a republic as legislative tyranny, against which our federal and State constitutions contain inhibitions, as, for example, against "ex post facto" laws and bills of attainder.

History, even English history, gives us many pertinent illustrations.

Your Assembly, in the resolution you offered, undertook to put a premium on the crime of perjury, by resolving that "in its judgment no witness shall be prosecuted, indicted, held liable, or proceeded against in any other action or proceedings, for any testimony given by him."

You have also assumed to require production before you of criminal court records from the fire-proof place where the law requires them to remain, thus going beyond the province of a duces tecum in a proper case, and rendering these records liable to be lost, or what is worse, tampered with.

So bold have you become, by reason of our people having quietly submitted to your assumptions, that you have gone to the extent of having a private detective force, to the exclusion of the greatest and most efficient detective force in the world—that under Captain George McClusky.

One of your special detectives described minutely before you an alleged opium "joint" which he claimed to have visited, but which proved to be a vacant stable recently vacated by an undertaker.

Your attention was duly called to your detective's wilfully false statement, but you could, of course, do nothing, because false swearing before you is not perjury.

These facts are as well known to these people as to you.

I notice, in connection with the matter of the records of the criminal courts, that your managing counsel is reported as saying in a prominent newspaper to-day, in order to influence public opinion against this office, that only two or three petty cases have actually been tried recently before the criminal term of the

Supreme Court, when, in point of fact, in twenty-six actual court days, eighteen homicide cases have been disposed of by that court through this office—a record unprecedented; and I commend to your attention the remarks from the bench of Mr. Justice Fursman, made to-day in the criminal term of the Supreme Court upon this subject. Mr. Justice Fursman's remarks, which arose upon the denial of a motion, were as follows:

"It is proper for me to state, that during an experience of nearly seventeen years on the bench in the management of criminal affairs, I have never known so many convictions, either by plea or otherwise, in the same space of time, nor so many criminal cases disposed of in the same space of time, as have been done at this term."

I also commend to your attention the further fact, which you well know, that in the twenty-two months of my administration of this office, up to the beginning of the November term, 17,515 criminal cases had been disposed of through the courts—a record never equalled in the history of any district attorney's office.

The manifest impropriety, as well as indecency, of requesting me to appear before you, when the proceedings upon which you design to influence public opinion are now before the Governor for judicial consideration, is a sad commentary on your want of knowledge of legal propriety.

Very respectfully,

Your obedient servant,

ASA BIRD GARDINER,

District Attorney.

THOMAS DWYER, being duly sworn, testified as follows:

Examined by Mr. Moss:

Mr. Moss—I offer for identification an indictment against George Vanderbeck, Hugh Rowan and Thomas Dwyer, for assault in the third degree, filed October 11, 1899.

(The indictment is marked, "For identification, Exhibit II, November 27, 1899.")

I am one of the defendants in this case. I was a motorman at that time on the Metropolitan Street Railway Company. It was one of the strike cases, and we three men, employees of the road, were charged with having inflicted some violence upon a representative of the railroad—something to that effect. That was J. E. Rice. I think he was one. Mr. Parsons was supposed to be the leader of the labor organization under which our organization existed; and the strike was a matter that had been determined upon by the organization of which I was a member. I and my co-defendants did not actually use any violence upon Mr. Rice. I didn't get on the car that night at all. I was simply standing on the corner when I was arrested. There was not any violence used by either of us men. Some one did not take the handle off the motor. This case was called up for trial before election.

Mr. Moss—I see the date is October 19th and October 26th?

The Witness—Yes, sir; it was called two or three times. There was not some statement that the case would not be tried before election; no, sir; not that I know of. I did not hear that.

Q. Was not the case forced on for trial right after election? A. No, sir; not that I know of.

Mr. Moss—It came up for trial on the 9th of November, as appears by these papers, and was actually tried on the 13th of November, right after election.

The Witness—Well, I was notified one time, and I didn't get it in time to appear in court, simply because I was working in Brooklyn. I think the judge directed the acquittal. There was no proof. There was not any testimony at all presented upon that trial showing any violence by any one of we three men. The case was absolutely devoid of any evidence, good, bad or indifferent, on that point.

Mr. Moss—Right after election the case was brought on for trial, and on the weakness of the evidence there was an acquittal by direction of the judge. That was the case, was it not?

The Witness—That was the case. That was called a couple of times before then, but I didn't get notified in time.

Q. It adjourned? A. Yes, sir.

Mr. Moss—The point is this: That in this case the record shows, as the witness has testified, an absolute failure on the part of the People to produce any evidence of assault at all; and yet the case was forced to trial; and it is put in at this time as a contrast to the numerous cases where the district attorney did not hesitate to recommend a dismissal of the indictment or a discharge of the defendant where there was good evidence. It is put in for the purpose of contrast at this point.

The Chairman—Who was the assistant district attorney prosecuting in this case?

Mr. Moss—It would seem to be J. L. Gordon—Gordon and Walsh. The endorsement of Mr. Gordon shows that. "The People's evidence in the cases of Vanderbeck and Rowan is the same as that adduced in the case of Dwyer. The court in the latter case having directed an acquittal for lack of evidence, we recommend that the defendants, Vanderbeck and Rowan, be discharged on their own recognizance.

PART XI, SUPREME COURT, COUNTY COURT HOUSE,

NEW YORK, *Nov.* 28, 1899, 10.30 o'clock a. m.

The committee met pursuant to adjournment.

Present: Mr. Mazet (the chairman), Mr. Fallows, Mr. Wilson, Mr. Costello and Mr. Hoffman.

AGNES M. BLAUTH, being duly sworn, testified as follows:

Mr. Moss—I offer for identification the indictment of the people against Elizabeth Bianchi and Angelo Primaeri, for grand larceny, second degree, filed the 26th of January, 1899.

(The indictment is marked "For identification, Exhibit A, November 28, 1899.")

By Mr. Moss:

I was the complainant in that case. This woman by the name of Bianchi, I was told, picked my pocket. That occurred in Ludwig's, Fourteenth street. Miss Eltoft said she picked my pocket. She was a private detective. She is a detective for O'Neill's. In O'Neill's dry goods store, she belonged. She had been following this woman, I believe. Louise Eltoft was employed by O'Neill's, and was following this Bianchi woman, had been following her, as I understood it. And she saw the Bianchi woman in Ludwig's pick my pocket. That is what she told me. I lost my pocketbook. It was not stated at that time that she was a well known pickpocket. It seemed to be understood afterwards, yes, sir. I appeared before the grand jury. She was indicted.

LOUISE ELTOFT, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the lady referred to by the previous witness.

Q. You knew this Bianchi woman, did you? You knew her record and reputation? A. I was shown her picture in the Rogue's gallery. At police headquarters. Her record was that of a pickpocket. I saw her pick Mrs. Blauth's pocket. I was an actual witness to the occurrence itself. Yes, sir. The only witness. And I knew the record and reputation of the pickpocket.

Q. I see the names of Mamie Quigg and Daniel Finn appear on the papers. Who are they? A. They were detectives employed in different dry goods houses, whom I called in to see the pickpocket. I followed her for two hours. I wanted them to see her so that they would know her. They did not know anything about the Bianchi woman. There was no doubt in my mind about the fact of the occurrence as I have testified to it, and the guilt of the woman. Not the slightest. I was subpoenaed before the grand jury, and I told them all those facts. I was not questioned by a member of the district attorney's office, attending the grand jury. I was not questioned at all.

Q. How did you give your testimony? A. I didn't give any testimony.

Q. Did you not? You were called before the grand jury, you say, and not a word was asked of you? A. Oh, before the grand jury I testified as to the facts in the case. The foreman of the grand jury asked me the questions there. I mean to say that no member of the district attorney's office ever talked with me about this case. Not that I recall. I was never called down to the office of the district attorney to consult about the case. Not that I recall. I was called down to court. General Sessions. I forget the part. I think it was before Judge McMahon. I don't recall what district attorney was in charge. On that occasion no member of the district attorney's office spoke to me, as I remember. I was subpoenaed on two or three occasions. I don't recall how many. I did attend court several times on that case. I was not called. I was simply subpoenaed, and the calendar was full.

I waited each time. Perhaps an hour each time, possibly, as near as I can remember.

Q. How did you know that you could go away? A. The case was dismissed. The calendar was full. It would not be reached. I think one of the clerks said that, or perhaps one of the Central Office men told me. I don't recollect. Then, so far as I know, the district attorney's office did not know what I could testify to. No, I don't think they did. Before I went to the grand jury it was that I saw this picture in the Rogue's gallery, it was at the time of her arrest. We took her down to the detective's headquarters. At the time of her arrest I took her down to the detective's headquarters. Her picture was taken out of the Rogue's gallery and shown to me.

Mr. Moss—This is the endorsement upon the indictment:

"From an examination made by me of the witnesses in this case, I am satisfied that it will be difficult to obtain a conviction of the defendant Bianchi. She has already been confined in the city prison one month. In view of the slight testimony, having never been convicted before her imprisonment, I recommend the discharge of the prisoner upon her own recognizance.

"ROBERT TOWNSEND,
"Assistant District Attorney."

There is this other paper attached to the indictment:

"The people against Elizabeth Bianchi." It is addressed to Mrs. Blauth.

"From an examination made by me of the witnesses in this case I am satisfied that it will be difficult to obtain a conviction. The defendant's previous reputation seems to have been good, and she has already been confined in the city prison four weeks, and her friends expect to send her to Italy. In view of the slight testimony, and her good character, and having already suffered one month's imprisonment, I recommend the discharge of the defendant upon her own undertaking.

"TOWNSEND,
"Assistant."

FRANCIS B. FISH, being duly sworn, testified as follows:

Examination by Mr. Moss:

I am acquainted with the case of Barbaretta. I live at 346 East Thirty-second street. The case was felonious assault, I believe, committed by Rocco Barbaretta upon Antonio Frasca. Frasca was not arrested. Rocco Barbaretta was arrested. Frasca was not able to speak and to understand English. He made a complaint at the station house. Captain Delaney's, yes, sir. And he was taken to the court. Frasca was taken to the court. The man that was hurt was taken to court. This was a serious injury. He was hurt badly. I believe he was, as far as the doctor's testimony was. He had seven lacerated wounds on the head, inflicted by an ice-tongs, and there was a slight fracture of the right temple. Well, he will never be the same man as he used to be. Barbaretta had fled, and a warrant was obtained in his absence. The warrant was put in the hands of police officers to serve. I know that Frasca was then taken to court and some questions asked him, but I was not there at the time, though. I was not present in the court room at the time Frasca was taken there. Frasca now is right there (indicating a person in the committee room). I have talked with Frasca. Well, what occurred in court, it seemed that about fifteen or twenty minutes before Frasca was taken to court, there was a court officer sent down to Frasca, and told him to appear in court, and about fifteen or twenty minutes one of Barbaretta's friends went to Frasca and asked him if he would not agree to let Barbaretta go off easy, providing they would give him three hundred dollars. But his wife said no. She says, "Three hundred dollars don't pay my husband's injuries. I don't want no money," she says; "I want this man to be arrested and convicted, if there is any possibility of his being convicted," Fifteen minutes later the court officer came down and got Frasca, as Frasca told me, of course; I was not present at the time. Frasca says to me, he says: "Frank, I was taken to court, and they told me to sign a paper." I says, "Did you sign

it?" He says, "Yes; I put a cross." I says, "Did you know what you were signing?" He says, "No, I didn't know what I was signing." So it seems that that cross that he put down on a paper in the court was Barbaretta's release. A consent to his release. But of course Frasca did not know what he was doing at the time. Finally, the following day, Justice Clarence Mead gave Barbaretta a letter which he should have presented to Captain Delaney. Barbaretta had not been found and arrested. No, he went to Palmieri, and Palmieri told him to appear in court and make a complaint against Frasca, you see. A counter charge, yes, sir, against Frasca. Judge Meade gave Barbaretta a letter that he should have given to Captain Delaney, so that the detective would not molest him upon seeing him in the street. That is, upon the withdrawal of Frasca's charge. They knew nothing about this, you know. They knew nothing about Barbaretta and Frasca appearing in court together. They had the warrant. But they did not receive the letter from the judge announcing the withdrawal of the case, so finally, about twenty or thirty minutes after eleven the following day, Detectives O'Rourke and Van Delf went and arrested Barbaretta at his home while he was eating his dinner. He was taken to court, and I was there at the time. The following day he was arrested I was there. Judge Meade says: "Why is this man brought up here again?" He says: "This man was discharged yesterday." He says, "Frasca refuses to make any charges against him. He withdrew his charge." I says, "Well, your honor, this is a misunderstanding. This case is misrepresented. Frasca," I says, "of course didn't want to go so hard upon Barbaretta because he hates to see any man suffer, and he thought it would be all right, but you see, your honor," I says, "That man has been severely inflicted upon, and I don't think that any man that received the wounds that he received, and the punishment that he received for nothing would go to work and want the man's release that struck him." So finally Judge Meade said, "Well, I will hold the man," he says, "under five hundred dollars;" and Palmieri says, "I will be

responsible for his presentation at court." Then he was held for trial for five hundred dollars. The following day Mr. Lewis J. Grant came, the attorney for Antony Frasca came there, and Barbaretta was held under a thousand dollars bail. Then Barbaretta was indicted. I was present when the case was called for trial before Judge McMahon. Assistant District Attorney McIntyre was in charge of that part. Well, he was supposed to prosecute Barbaretta. McIntyre came in specially for this case. The jury has been impanelled in this case, in this particular case. Mr. McIntyre was there. He said to the court that he was ready to try the case, but Mr. Palmieri was not there, and Mr. McIntyre's son Glanville says, "Well, I will plead for Mr. Palmieri's client," and Judge McMahon said, "No this case can't go on that way." He says, "Mr. Palmieri has got to be here. I will postpone this case until to-morrow morning. If Barbaretta's counsel don't be here," he says, "I will get a counsel for him; but Mr. McIntyre—"I don't know just what he said; just as much as to say, "Your son can't try this case. You and your son can't try this case at all." That was all the judge said. He said. "Your son cannot defend Barbaretta," he says. "Your son cannot defend him." He says "I will postpone this case until to-morrow morning," he says, "And if Barbaretta's counsel don't appear," he says, "I will get a counsel for him."

Q. Was the word "flim-flam" used? A. Well, I tell you I didn't hear it proper, but I should think that is what he said, because it was between father and son, and they were trying to fix it up amongst themselves.

Q. I ask you if that expression was used by any one in that colloquy? Do you remember that word "flim-flam" being used by any one? A. Well, I don't remember that. But I am perfectly sure that Judge McMahon's objection to allowing that case to go on in that way was that he did not propose to have the father prosecuting and the son defending. The case was tried the next day. The result of it was that Barbaretta was discharged. There was no conviction. Mr. McIntyre tried the case

for the people. Mr. Palmieri and Mr. McIntyre, junior, appeared for the defense. Mr. McIntyre, Jr., was there assisting Palmieri. Palmieri would go out, and he would continue, and he would go out and Palmieri would continue. It was between the whole lot of them there. All the witnesses who saw the assault and knew about the trouble were not called. Only two, Frank Girasola and Vito Fortunato, a fruit vender. Those two witnesses were called for the prosecution.

Q. What important witness were not called for the prosecution? A. Vincenzo Lopiano was not called. He knew he picked Frasca up unconscious from the sidewalk, after he was struck, and that they had words, and separated both of them. As soon as Lopiano went away he struck Frasca. He was not called. Then there was Dr. Sylvester, who dressed the wounds. He was not called as a witness. Not at general sessions. There was an ex-policeman that was ready to testify who was not called. He saw the whole thing going on, and he was up at Fifty-seventh street court, but he was not called down below here. I really don't remember his name. Mr. Grant knows it, though. Lewis J. Grant will tell you his name. I don't know it. That is all I know of. The actual trial just took one day. That is all. It began about eleven thirty, I believe, and it was done about two o'clock in the afternoon.

Q. Were there any witnesses for the defense? A. Yes, sir; that Vito Fortunato—Vito Fortunato was not a witness for the prosecution. He was a witness for the defense. There was one witness for the prosecution in addition to the complainant, and one witness for the defense. There was not more than one witness for the defense not at the trial. When the trial was going on Mr. Palmieri questioned the interpreter to ask Antony Frasca was he standing outside the fruit vender's store with an ice tongs in his hand ready to strike Barbaretta. This is what the interpreter asked Frasca; he says, "Antony Frasca, you were outside when Barbaretta came out?" Antony Frasca says, "Yes, I was outside." But Frasca had no intention of striking Barbaretta with an ice tongs. Mr. Palmieri told the interpreter to ask

Frasca that question, but he did not ask that question. Instead of asking him one question he asked another, and the jurymen and the judge, of course they took it as granted that Frasca was outside ready to strike Barbaretta with the ice tongs. The interpreter only put a part of the question. I can swear to that all right. And the result of that was to make it appear that the complainant was himself waiting out there to fight Barbaretta. When he had not any such question put to him. Even after that Judge McMahon says, "Gentlemen of the jury, you see both men have violated the law. It will be either to give them both the time or to send them off easy." So the jury came out and gave a verdict of not guilty for both of them. They found a case against Frasca, too; not only against Barbaretta, but they found Frasca violated the law as much as Barbaretta done—in that question. That question got away with the whole case. That was the turning point, yes, sir.

Dr. FRANKLIN E. SYLVESTER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am a physician. And I examined the wounds upon Mr. Frasca, that have been mentioned by the previous witness. I did not see them first. They were first dressed, I believe, at the hospital, some two days prior to the time. They were stitched up, I think, at Bellevue Hospital, if I am not mistaken. There were several small wounds upon the head. They were not small, but they were not lacerated. No more than a simple cut, and then stitched up and thoroughly healed. There was one upon the side of the head; I forget which side now, but I think on the left side that was turned down, and a depression of the skull. It was wide open at the time. An extremely severe wound on it. I treated that as an open wound. It was too late to treat it as a fresh cut; and healed it up. One serious wound. I was not called as a witness upon the trial in the Court of General Sessions. I never knew until this morning that it had been tried. Never testified. This is the first intimation that I had that the case was ever tried.

VINCENZO LOPIANO, called as a witness.

Examined by Mr. Moss:

I saw Barbaretta hurt Frasca. They commenced to fight, Barbaretta and Frasca. They just began to fight.

Mr. Moss—Mr. Fish, you will have to come up here and interpret. It is all right; you can understand me, but I think it will be easier to get on the record with an interpreter. Now tell Mr. Fish what you were going to say. Tell it in Italian. (To Mr. Fish) See that you interpret right, too.

Mr. Fish—I will. I don't care. I want to see things go on right. He says that he saw Barbaretta and Frasca on the 13th of May; it was on a Saturday night, quarreling; having words. The witness had a shoe store at the time there on Fourth avenue, and he saw Frasca and Barbaretta quarreling. I went over—I will represent the witness—I went and told Mr. Frasca and Mr. Barbaretta to stop quarreling, and to go about their business. They says, "All right." I went into my place and about two or three minutes after I went out, to see Frasca lying on the sidewalk unconscious and bleeding.

Mr. Moss—Now ask him where Barbaretta was when he saw Frasca lying on the sidewalk.

The Interpreter—Barbaretta was gone.

Mr. Moss—Were you called as a witness at the Court of General Sessions?

The Interpreter—No, sir.

Mr. Moss—Were you subpoenaed as a witness?

The Interpreter—No, sir.

Mr. Moss—Did you know that the case had been tried in the Court of General Sessions?

The Interpreter—They told me about a week afterwards, after the case was tried.

Mr. Moss—About a week afterwards he heard of it?

The Interpreter—Yes, sir.

Mr. Moss—You testified before the magistrate in the police court, did you not?

The Interpreter—I was not called before the magistrate.

Mr. Moss—Were you present before the magistrate?

The Interpreter—Yes, sir.

Mr. Moss—Then the magistrate found sufficient testimony to hold the prisoner, without calling you there, but you were there?

The Interpreter—He called two or three others, but not I.

Mr. Moss—I present for identification an indictment in the case of the People against Thomas Walsh, for manslaughter in the first degree, filed March 23, 1898.

(The indictment is marked "For identification, Exhibit B, November 28, 1899.")

Mr. Moss—I will also have marked for identification the papers used before the magistrate in the Seventh District Court, the People on the complaint of Charles W. Thompson against Thomas Walsh, January 14, 1898.

(The papers are marked "For identification, Exhibit C, November 28, 1899.")

Mr. Moss—And these also in the same case, December 26, 1897.

(Additional papers marked "For identification, Exhibit D, November 28, 1899.")

Mr. Moss—I will ask your honors to listen to this affidavit:

Charles W. Thompson, age thirty-nine, occupation detective, being duly sworn, says that on the 25th of December, 1897, at the city of New York, in 532 West Forty-ninth street, one Thomas Walsh (now here), did wilfully and feloniously and with the intent to take the life or to do him grievous bodily harm, assault one John Raynowitz by striking him on the head with some blunt instrument (as deponent is informed and thoroughly believes) thereby inflicting a serious wound in said Raynowitz's head, from which said Raynowitz died on the 11th day of January of this year.

Deponent says further that the sources of his information are these: That he is informed by one William J. Thompson, an officer attached to the 24th Precinct, that when on the 25th day of December last past he arrested defendant charged with the assault above described, that at such time the said Raynowitz (now deceased) informed him that he had been assaulted by the defendant in the manner above described; and moreover deponent is informed by one John W. Scott, the attending physician at Bellevue hospital, wherein said Raynowitz died, that his death was the result of the skull wound which he had received; and moreover deponent is informed that Deputy Coroner Donlin stated (his certificate being hereto attached) that the said Raynowitz died from abscess on the brain, following fracture of the skull.

Deponent therefore asks that defendant may be dealt with as the law directs.

CHARLES W. THOMPSON.

Then there is the affidavit of Kate Raynowitz, of No. 603½ West Fifty-second street, who states that on the 25th of December, 1897, in the hallway of 532 West Forty-ninth street, at or about eight p. m., she saw the within defendant, Thomas Walsh, assault her husband, John Raynowitz (now deceased), and strike him on the head with a hammer then and there held in defendant's hand.

Then there is the affidavit of Annie Brunswick, 534 West Fiftieth street, who says that on the 25th day of December, in the hallway of the said building, at about eight p. m., she saw the within defendant Thomas Walsh assault said Raynowitz (now deceased), by striking him on the head with some kind of an instrument then and there held in the defendant's hand.

And there is the corroborative affidavit of the policeman.

Then there are attached the certificate of Lewis G. Cole: "This is to certify that John Rasselwitz"—that being a misspelling for the same person—"has a compound depressed fracture in the vault of the skull."

"New York, December 25; patient John Rasselwitz, whom I brought to Roosevelt hospital with a compound fracture of the skull, refuses to remain in that institution and leaves there at his own risk." The surgeon states that his wounds are fatal.

Then there is an affidavit of Raynowitz himself, who states that on the 25th day of December he was violently and feloniously assaulted and beaten by Thomas Walsh, now here, who struck deponent in the head with some blunt instrument then and there held in his hand, causing a compound fracture of the deponent's skull, committed by the defendant.

These papers, prepared in the magistrate's court, went to the district attorney's office, as appeared by our finding them with these indictments.

The endorsement on the indictment is this: "Upon an examination of the evidence in this case I am constrained to say that the evidence is entirely insufficient to obtain a conviction. I, therefore, recommend that the defendant be discharged upon his own recognizance. John F. McIntyre, assistant district attorney, June 14, 1898."

I will have marked for identification indictment against John Burke for false registration, filed November 12, 1897.

(The indictment is marked "For identification Exhibit E, November 28, 1899.")

Mr. Moss—I will also have the affidavits in the same case, taken before the city magistrate, Judge Poole, third district court, on October 31, 1897, marked for identification.

(The affidavits are marked "For identification Exhibit F, November 28, 1899.")

Mr. Moss—The affidavit in this case is made by Thomas Kelly, police officer of the 11th precinct. It is dated the 29th of October. He says the said John Burke was disqualified from voting in said district for the reason that he has not registered as a lodger in said premises since the 23d day of August until the 25th

day of October, 1897, and will not have been a resident of the election district for one month prior to election day, namely: The second day of October, 1897. Wherefore deponent prays that the said John Burke may be apprehended and dealt with according to law.

The lodging house referred to is 243 Bowery.

The indorsement is: "From an examination of the facts I do not think a conviction can be had and therefore recommend that the indictment be dismissed. Part 2, May 9, 1898. S. S. Blake, assistant district attorney."

It appears that the counsel for this defendant was D. O'Reilly, who subsequently became one of the staff of the district attorney.

The indorsement of the district attorney is followed by Judge McMahon's indorsement:

"Part 2, May 9, 1898. On motion of the district attorney the indictment is dismissed."

MARIE LEVY, called as a witness:

The Witness—No, I don't understand English.

Mr. Moss—We have an interpreter here, Charles Labadie.

The Chairman—Will you be sworn? You solemnly swear that you will truthfully interpret the questions put to this witness and the answers given by her?

Mr. Labadie—I do.

The Chairman—Will you interpret the oath to the witness?

The witness Marie Levy was then sworn through the aid of the interpreter.

Mr. Moss—I offer for identification the indictment against James Troy for manslaughter in the second degree, filed July 26th, 1899.

(The indictment was marked "For identification Exhibit G, November 28, 1899.")

Mr. Moss—Also the indictment against Charles D. Latimer and John G. Murphy for manslaughter, second degree, filed June 20th, 1899.

(The indictment is marked "For identification Exhibit H, November 28, 1899.")

Mr. Moss—I also offer for identification the affidavits before the city magistrate's court, first district, July 14, 1899.

The affidavits are marked "For identification Exhibit I, November 28, 1899.")

Mr. Moss—And the coroner's inquest on Leopold S. Levy, June 18, 1899.

(The coroner's inquest is marked "For identification Exhibit J, November 28, 1899.")

Mr. Moss (reading from Exhibit I, the affidavit of Marie Levy)—She says that on the 13th day of May, 1899, James Troy (now here) did while acting in concert with John G. Murphy and Charles Latimer violently and feloniously assault and beat one Leopold S. Levy, now deceased, thereby causing his death under the circumstances following, to wit:

Deponent on the said 13th day of May, 1899, saw the said James Troy, now here, and John J. Murphy and Charles Latimer (both of whom are now under indictment for causing the death of said Leopold S. Levy), strike the said Leopold S. Levy with several stones about the body and head, and the said James Troy and said Murphy and Charles Latimer did pursue the said Leopold S. Levy into the hallway of premises No. 439 West Twenty-sixth street and while there the said James Troy and the said John J. Murphy and Charles Latimer did beat him, the said Leopold S. Levy, on the head with their hands in which they held stones, thereby causing such injury to said Leopold S. Levy from the result of which the said Leopold S. Levy died on May 21, 1899. Wherefore deponent charges the defendant with homicide.

Now I read from the testimony of Marie Levy before the coroner, just identified.

MARIE LEVY, sworn through an interpreter:

I live at 439 West 26th street and am the widow of the deceased. On the evening of the 13th of May last I saw my husband struck by three individuals, two of whom are here [indicating the two prisoners] at about half-past nine. I was looking out of the window of my house when I saw three young men, two of whom are here, throwing stones at my husband and striking him with a stick. I saw them strike my husband on the forehead with a stick and throw stones at him, and then I went down stairs in the hall to reach my husband, and he was coming in to try to defend himself and these boys. He was struck with stones and preserve cans.

(Stone produced, which witness states that she recognized as the stone that was thrown in the hall of her house, and further states that there were other stones.)

I found that stone on the same evening. I also have a can at the house which was thrown in. I did not hear my husband say anything to these persons. I heard my husband cry, and then I went down immediately. I don't know the prisoners by name.

Latimer is requested to stand up.

I saw him [indicating Latimer] throwing stones at my husband. I saw them both strike him. Prior to that they threw stones while he was on the street. I saw three of them throwing the stones and sardine boxes. When I heard my husband cry I rushed to the window and looked out, and as I did I saw the three boys striking him with sticks and throwing stones at him. That was about 9.30 in the evening. I live one flight of stairs up. Then I went down and met my husband in the hall, who was being assaulted by these boys, and three of them were in the hall. The two here I am positive were there at that time.

My husband remained in the house, and I nursed him, with the help of a doctor, who came three times a day, until the following Friday. I had Dr. Coumaigue of 245 West 43d street. Another physician was brought in by Dr. Coumaigue in consultation. I don't know his name. I had the two doctors calling two and three times a day until Friday, when one of them advised an operation. Then he was taken to the hospital on May 19th, and died on Sunday, May 21st. I saw him after death in the hospital, and I buried him in the Jewish cemetery in Brooklyn.

The coroner's physician being sworn, testified that "the wounds found could have been caused by any instrument." That is important. "The wounds found could have been caused by any instrument. The skull was abnormally thin, and was no thicker than what we would be apt to find in a child of twelve years of age. This is the reason that I state that a blow of most any kind would cause the fractures."

The verdict is, that the said "Leopold S. Levy came to his death on the 21st day of May, 1899, at New York hospital, by compound depressed fracture of skull, laceration of brain, meningitis; and that said injuries were inflicted on the 13th day of May, 1899, in front of 439 West 26th street, by sticks and missiles, in the hands of Charles D. Latimer and John J. Murphy."

That is the coroner's jury's verdict.

By Mr. Moss:

You were the wife of Leopold S. Levy, were you?

The Interpreter—Yes, sir.

Mr. Moss—Were you present when the boys beat and hurt him?

The Interpreter—Yes, sir.

Mr. Moss—You saw it all, did you?

The Interpreter—Yes, sir. There were three boys, and they were condemned, and the moment they were condemned they didn't call her up—they pardoned them and condemned one for

nine months. She was to come every time, and the last time she didn't come at all, because they didn't send for her.

Mr. Moss—The last time she did not come at all?

The Interpreter—No, sir.

Mr. Moss—Two of them were pardoned?

The Interpreter—Yes, sir.

Mr. Moss—She did not come at all the last time because she did not get notice. Is that it?

The Interpreter—Yes, sir.

Mr. Moss—How many times did you go to the General Sessions Court?

The Interpreter—She does not know exactly. She says about four times.

Mr. Moss—Were the boys in the habit of annoying Mr. Levy?

The Interpreter—Yes, sir; very often.

Mr. Moss—And this time they killed him?

The Interpreter—Yes, sir; with a stone.

Mr. Moss—Did you see them throwing stones at him and striking him with the stones?

The Interpreter—Yes; they were the three that were throwing the stones at him.

Mr. Moss—Did she see them throwing stones?

The Interpreter—Yes, sir.

Mr. Moss—Do you understand that?

The Interpreter—She says she was there in the hallway. When Mr. Levy came she was waiting for him upstairs, and she heard the opening of the door and she came down, and that she happened to be in the hall when they throwed the stones.

Mr. Moss—How many times did you talk with the district attorney about the case.

The Interpreter—She doesn't know what the district attorney is.

Mr. Moss—Did you not go down to the district attorney's office in the big building on Centre street, and did he not ask you what you could swear to? Put that question right to her.

The Interpreter—Yes, sir; she went four times to the Tombs.

Mr. Moss—You went four times to the court. I understand that; but did not the lawyer for the People ask you about your testimoney before the case came up in court?

The Interpreter—She went there twice. It was to identify, twice; to identify the men.

Mr. Moss—Where was it you went to identify the men?

The Interpreter—At the Tombs.

Mr. Moss—Ask her if she was not talked to by the procurator? Perhaps she may understand that.

The Interpreter—The last time the procurator talked to her.

Mr. Moss—Where was that? In what building?

The Interpreter—In the Tombs.

Mr. Moss—In the prison?

The Interpreter—He was at a table. He was alone. It was in a big court. I have been there myself, down to the other end—not on Center street, but away back.

Mr. Moss—Back of Center street?

The Interpreter—Yes, sir.

Mr. Moss—At a table? Sat down at the table and talked?

The Interpreter—No; they brought her inside to talk in private.

Mr. Moss—Brought whom in?

The Interpreter—Brought me in.

Mr. Moss—Was that Mr. Schwartzkopf?

The Interpreter—It was a tall man, she says.

Mr. Moss—I will read the recommendation of Mr. Schwarzkopf. I think it is perfectly clear that there has been no consultation with this witness that has made any distinct impression. "This defendant was indicted July 26, 1899, for manslaughter in the second degree. He was arrested July 9th, almost a month after the commission of the homicide, his arrest being based upon the identification of him by the widow of the deceased.

"The case rests upon the testimony of Mrs. Levy, the widow of Leopold S. Levy, who is the deceased herein. This witness is of weak mind, and in preparing the case I discovered many flaws

in her testimony, which certainly could not survive even a mild cross examination.

"Moreover, it is claimed by Mrs. Levy that the killing was done with a large stone, weighing three or four pounds, whereas the testimony of the physician discloses the killing to have been done with some light missile."

That is absolute misrepresentation of the testimony.

Mr. Costello—Who is Schwarzkopf?

Mr. Moss—The assistant district attorney.

"I am constrained, therefore, to recommend the discharge of the defendant upon his own recognizance.

"JOHN SCHWARZKOPF,

"*Deputy Assistant District Attorney.*"

"I concur in this recommendation.

"JOHN F. McINTYRE,

"*Assistant District Attorney.*"

"Dated New York, October 26, 1899."

It is easy to see how a great paper record for disposing of homicide cases can be made up in this way.

CHARLES LABADIE, being examined, testified as follows:

The Witness—She brought a stone there——

Examined by Mr. Moss:

I was present in court. They didn't need me because there was others there. I saw her bring a stone to the court. It was the stone which was found in the hall. This lady is not an insane person. She is not weak-minded. I have known her for eight years. She appears to be a woman in grief. She lost her husband, and of course she is under some mental stress on that account. But apart from that there is no weakness in her intellect. I have talked with her frequently about these occurrences and she has always been able to give a straight story of them. I myself have known of these disturbances, the

boys annoying this poor Frenchman. I know it. I live in 445, which was not very far when it occurred. But I didn't see it. But I have seen the annoyances before and now again the same way.

Q. Did you ever see the same boys annoying the deceased? A. I could not see them until they were taken.

Mr. Moss—I mean before they were taken.

The Witness—Since that they are coming back again.

Q. The same boys are coming back again? A. Yes, sir.

Q. Did you, before Mr. Levy was killed, ever see these same boys that were arrested, annoying him? A. Oh, no. I was not there.

Mr. Moss—The indictment of Troy was separate from the indictment of the other boys.

Mr. Costello—How old are those boys.

The Witness—They are young men about eighteen, I suppose; eighteen to twenty.

Mr. Cosello—Are there police in that section of the city?

Mr. Moss—There are supposed to be.

Mr. Costello—Why did not the police protect the deceased? Why have not the police protected Mr. Levy?

The Interpreter—She says that the morning that the accident occurred there was no police there; and of course they took her up and got a doctor——

Mr. Moss—I understand; but the question Mr. Costello asked is, why have not the police protected this man against these boys before then?

The Interpreter—He never went and told the police about it.

Mr. Moss—I wish you could see the number of people who have come to me, and have been coming to me for a long time, complaining about just such things as this lack of protection from hoodlums.

Mr. Costello—The impression is abroad that life and property is protected in New York, but it does not look, according to this case, as if a man's life was protected very much.

Mr. Moss—I have had in my hands a great many complaints of citizens, complaining about the local police failing to protect them from hoodlums. I have had them very often.

On the indictment against Latimer and Murphy is this endorsement:

"These defendants were indicted June 20, 1899, for manslaughter in the second degree, committed on May 13, 1899.

"As against Latimer, the case of the People rests solely upon the testimony of the widow of the deceased herein, who even in her examination upon the preparation of this case contradicted herself several times, and disclosed other defects in her testimony.

"It is alleged contrary to the facts"—that is interlined in ink— "that this killing was done with a large stone which was identified by the said widow some hours after it is alleged to have been thrown at the deceased by these defendants.

"The killing was done under the following circumstances: The deceased was a Frenchman who had incurred the animosity of most of the boys and young men living in the vicinity of this crime, and altercations between them were of frequent occurrence. On the day in question the deceased arrived at his home, and his wife, some minutes afterwards, hearing him shout, ran out and saw him engaged in a fight with these defendants, she claims. Both parties were throwing missiles at each other.

"Mrs. Levy alleges that as she reached the hall, which was rather dark, her husband was struck on the head with a large stone, weighing some three or four pounds, which she afterwards identified. Another witness for the People, Michael Curran, aged eight years, saw the defendant Murphy in that vicinity at about this time, but witnessed no trouble of any sort, and he did not see Latimer.

"The examination of the physicians discloses that death resulted from a wound caused by some light missile"— there is some mistake there—"which struck the deceased, and owing to his abnormally thin skull, fractured it.

"In view of all the foregoing facts, I respectfully recommend the discharge of the defendant Latimer upon his own recognizance. I also recommend that any plea which may be offered by defendant Murphy under this indictment be accepted.

"JOHN SCHWARZKOPF,

"Deputy Assistant District Attorney."

"I concur in the foregoing recommendation.

"JOHN F. McINTYRE,

"Assistant District Attorney."

"Dated New York, October 26, 1899."

The Witness—The stone the detective had and brought to the court showed that it was there all the time yet, and those two boys are still around the house yet.

Mr. Moss—I offer in evidence for identification the indictment of the people against Richard Moore, murder in the first degree, filed September 28, 1899.

(The indictment is marked "Exhibit K, for identification, November 28, 1899.")

FRANK SAVAGE, being duly sworn, testified as follows:

Examined by Mr. Moss:

I know about the murder of this man Martin. Well, on the 8th day of August, in the morning at 9 o'clock, Richard Moore was in front of Mr. Martin's house, No. 49, and talking all kinds of language, and Mr. Martin making him go away from there. He had a small stick in his hand, I suppose about that long (illustrating), and he was hitting him around the legs, and he got him down in the corner. Dick (that is Moore) went away, and after a while he came back again. He came back with a stick, and he was sitting, he sat across the street a good while, and after 12 o'clock he sat across the street with a stick, and Mr. Martin was not noticing him at all. He was not striking him

or doing anything at that time. About a quarter past three Dick came, Dick Moore. He came over to the hall, and he was standing and talking with a woman, and he came up and struck him with this stick. That was about a quarter past three o'clock. I saw the blow struck. He died afterwards. I think it was Tuesday, and he died on Friday evening. I saw the first trouble. He stood over there in front of Mr. Martin's house using bad language. And Martin tried to make him go away. Martin was the janitor of the house. It was an apartment house. And Mr. Martin had the duty to keep order at this house. This man stood there and was making a disturbance, and he tried to get him away. He used this short stick in trying to get him away. He struck Moore around the legs with it. He got him around the corner, and he left him there. And he came back to his work. After a while Moore came back with a stick. And he sat down on the stoop across the street. And he stayed there for some time. Well, he was sitting there with the stick. Martin, while he was sitting there, was across at his coal cellar, carrying orders out. He was not noticing him. He did not think Dick was going to strike him. He was a nuisance around there with the women and the men. He was all the time drunk. Nobody would ever pay any attention to what he would do or say. He was a drunken nuisance. That is what he was. When Moore came over and hit Martin, Martin had not been striking him then. He was not speaking to him. He was doing nothing at all with reference to Moore. He did not see him. He was not drunk at that time. It was a deliberate waiting for Martin with a stick, with which he afterwards inflicted the murder. Without any provocation at all. That is right.

By the Chairman:

He came out of the hall where he was sitting, across the street, about 12 o'clock that afternoon. He came out of the hall and he went around in the rear, and came out of the front hall. I was at my place, No. 47.

By Mr. Moss:

I did not see any one else out there, only the woman he was talking to. There might be people passing in the street. I did not take notice of them. I did not testify before the police magistrate. I testified before the coroner's inquest. I was called down before the grand jury. I did testify before the grand jury. It was called down to court twice before this case was brought on for trial. Before the coroner, and before the grand jury.

Q. Did any assistant district attorney or any member of that office speak to you about you testimony? A. One counsel came to my house about a week before this case; before I heard this action was called up and tried. I don't know his name.

Q. Was he counsel for the prosecution, or counsel for the defendant? A. He was not for the person who was dead. He was for Moore. I had a call at my house a week before the trial by the counsel for Moore, on a Sunday.

Q. When did you have a call by the counsel for the people? A. I did not have none.

Q. When did the counsel for the people send for you to come down to his office, and tell him the facts of the case? A. Only twice that I went down to court.

Q. Did the district attorney consult with you about your testimony then? A. No, sir; only before the grand jury. Yes, sir; before the grand jury he asked me what I knowed about it, and I told him.

Q. Before you got to the trial, before the petit jury? A. I was never before the trial. I was not called as a witness.

Q. Your name appears here on the indictment, so the district attorney knew about you? A. Yes, sir. I was not called as a witness on this trial. No, sir; none of us. All I knew about it I seen it in the papers. I was not present at the trial at all. I did not get a subpoena. I see in the paper where he plead guilty, and he got two years and six months. I did not know that his case was actually called for trial.

Mr. Moss—This case was, according to the minutes, removed to the Supreme Court on the 16th day of October, 1899, from the General Sessions. I read this order, dated the 16th day of October:

"It appearing in the opinion of this court that it is proper that the indictment hereinafter named be tried herein, now, on motion of Asa Bird Gardiner, district attorney of the county of New York, it is ordered that the indictment found in the Court of General Sessions in the city and county of New York, on the 20th day of September, 1899, against the above named defendant, Richard Moore, for the crime of murder in the first degree, be, and the same is hereby removed into the Supreme Court in and for the county of New York.

"E. A. FURSMAN,
"Justice of the Supreme Court."

Mr. Moss—Now it appears from the minutes of the court that trial was begun on the 1st day of November, 1899. Messrs, McIntyre and Schwarzkopf appeared for the people and Mr. Hal Bell for the defendant. By consent a juror is withdrawn. Defendant withdraws his plea of not guilty and pleads guilty to manslaughter in the second degree and is sentenced to two years and four months.

By Mr. Costello:

Q. Did not any one from the district attorney's office examine you and talk with you? A. I was down to court twice, but on his trial I was not. At the time he was tried I did not know anything about it, and I know other witnesses who were not there. There is another witness there, (referring to a person in the room.) He was right there working for me at the same time. He did not know any more about it than I did.

Q. How large a club was it that he struck him with? A. It was a bale stick about three and a half feet long.

Q. Used for bailing hay? A. Yes, sir; one of those bale sticks.

Mr. Moss—A hickory stick? A. I suppose it was oak. It looked as if it came off a bale of hay.

JESSIE W. GREGORY, being duly sworn, testified as follows:

Examined by Mr. Moss:

Q. I shall not take up time to examine you at length, except to say that you also were not called down before the trial, were you? A. No, sir; I am almost sure his widow did not know it either. I am one of the persons whose name is endorsed upon the back of this indictment, as a witness. I was subpoenaed to attend the trial of this case. Only at the coroner's inquest, and at the grand jury. I never appeared in the Court of General Sessions. I don't think the widow of the dead man was called in the trial. In fact I asked her, and she told me she was not. I was very much surprised to hear that the trial had come off.

Mr. Moss—I ask your honors to notice the indictment against John Williams for murder in the first degree, filed November the 9th, 1899. I will have that indictment marked for identification.

(The indictment is marked "For identification Exhibit L, November 28, 1899.")

Mr. Moss—Also the affidavit before the city magistrate of the Fourth District Court, dated October 25, 1899. I will have that marked for identification.

(The affidavit is marked "For identification Exhibit M, November 28, 1899.")

Mr. Moss—This is a case not yet tried. It is pending in the Supreme Court. The affidavit in this case is by Charles Epple. He states that "On the 22d day of October, 1899, John Williams, now here, did wilfully violate the provisions of section 179 of the Penal Code of the State of New York, in that this defendant did

on same day, about ten o'clock p. m., violently and feloniously beat and assault one Charles Scanlon of No. 557 First avenue, New York city, inflicting upon the said Scanlon injuries which deponent has been informed have resulted in the death of said Scanlon. About the hour of ten p. m., on said date, as deponent was walking along 47th street, near First avenue, he saw this defendant then and there feloniously beat and assault said Scanlon by striking said Scanlon several violent blows in the abdomen with a deadly and dangerous weapon, to wit, an open clasp knife, which said defendant then and there held in his hand, causing said knife to enter the body in the said Scanlon, and inflicting stab wounds, which deponent is informed were the cause of the death of the said Scanlon. Deponent prays that the defendant be dealt with as the law directs."

Attached to the indictment is this transcript of the minutes:

"Court of General Sessions, Part III. The People against John Williams. Before the Hon. Joseph E. Newburger, Justice. New York, November 16, 1899. The defendant arraigned at the bar.

"By the Court—Williams, you have been indicted upon a charge of murder in the first degree. You have pleaded not guilty and the case has been set down for trial for the 22d of this month before me. Have you paid any lawyer to represent you?

'The Defendant—No, sir. Mr. McIntyre is representing me.

"The Court—Have you paid him any fee?

"The Defendant—No, sir. He is not in court.

"The Court—Have you paid him any fee?

"The Defendant—No, sir.

"The Court—Or any of your friends?

"The Defendant—I don't know.

"The Court—Do you want to have a lawyer assigned to you?

"The Defendant—No, sir.

"The Court—You do not?

"The Defendant—No, sir; I have a lawyer.

"The Court—Who is he?

"The Defendant—Mr. McIntyre.

"The Court—Do you expect to pay him a fee?

"The Defendant—I don't know.

"The Court—Have you any means to pay a lawyer?

"The Defendant—My friends have.

"The Court—What is that; your friends have?

"The Defendant—Yes, sir."

The endorsement on the outside is by Justice Newburger: "Part III, November 16, 1899. No counsel to be assigned as the defendant states his friends have means to pay counsel."

We understand that in those cases there was an application to assign counsel.

This case is endorsed as having been called on the 14th of November, the 22d of November, the 24th of November and the 27th of November.

I now offer in evidence for identification the indictment of the People against Robert Hoey, John Brown, and Thomas Cosgrove for murder in the first degree. Filed the 13th of May, 1898.

(The indictment is marked "For identification Exhibit N, December 28, 1899.")

Mr. Moss—The minutes of the court show that Glanville G. McIntyre was appointed defendant's counsel in this case June 14th, and on July 6th the trial commenced. John F. McIntyre and Mr. Gordon appeared for the People. Glanville G. McIntyre and J. Mitchell appeared for the defendants.

On the 11th of July, without leaving the bar, a verdict for the defendant of not guilty was rendered. On July 11th, on the application of the district attorney the indictment was dismissed as to Hoey and Cosgrove.

On the same date G. G. McIntyre was allowed $500 compensation and $19.80 expenses. Hal Bell, counsel for Hoey and Cosgrove, was allowed $300.

I now offer in evidence for identification the affidavit before the police magistrate of the Third District Court.

(The affidavit is marked, "Exhibit O, November 28, 1899, for identification.")

Mr. Moss—The witnesses appearing upon these papers are John Mooney, officer of the Seventh precinct, Annie Kelly, No. 27 Monroe street; Margaret Thompson, 16 Jefferson street; Herbert A. Jackson, 140 Cherry street; James Dee, 86 Cherry street; John L. Shields, of the Gouveneur hospital, and others. It appears that the person in question was Margaret Crowley, and that she was killed by strangulation.

MAY FERNANDEZ, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was one of the witnesses in this case. I was put in the House of Detention. They kept me there three months and three weeks. Mr. Glanville McIntyre, the attorney for Mr. Brown, talked with me. Young Mr. McIntyre used to talk to me and not the father. I never had any conversation with the father of McIntyre. Mr. Brown was charged with the murder of this girl. They accused him of it. He did not do it. I was a witness to the fact that he did not do it. His defense was an alibi. He was not there. His defense was that he was with me; and he and I swore that we two were together upon the night when this murder is said to have taken place. So that I was really Mr. Brown's principal witness. I never considered myself a witness for the people against Mr. Brown, but in order to save Mr. Brown I was willing to come forward and confess that he and I were together that night. I was willing to do that to save his life. I was present when this case was called for trial. Mr. Brown was put on the stand, and he testified that he was away. I was put on the stand, and I testified that he was with me. First Mr. McIntyre, the older McIntyre, called me; not the young one. The elder McIntyre called me to the stand. The elder McIntyre did put witnesses on before I was called. Yes, Miss Kelly was put on, and I believe a couple more. Jimmie Dee, his wife, Miss Kelly, and a couple more witnesses were actually put on.

Q. Are you sure they were put on the stand before the jury? Were not you and Brown the only persons who took the stand before the jury? A. Mr. Brown had the jury picked out already when I was on the stand.

Q. Were you the first witness called? A. I don't exactly remember.

Q. But you remember that the father McIntyre called you there? A. Yes; he and his father. Mr. McIntyre himself and his son was there when I was called on the stand. There was another man there. I could not tell you who it was.

Q. Who was it that actually called your name in court when you came forward? A. I think it was McIntyre. I am not sure, because it is so long ago.

Q. Was it the father or the son that called you up? A. The son did not have anything to do with it, neither did the father. It was all on Brown's side. Young McIntyre was on Brown's side, and his father was against Brown That is all I know.

Q. What I want to get is whether the father, who was against Brown, called you to the stand? A. I could not tell you. I don't remember. It is over a year ago. I don't see why the case should be called up again.

Mr. Moss—There are reasons for calling the case up now. There is nothing against you Miss Fernandez.

The Witness—It is a good while. I cannot think of everything now.

Q. Are you sure that you heard Miss Kelly testify before the jury that day of the trial? A. All the witnesses were called that day.

Q. Did Miss Kelly testify before the jury? A. She said how the woman asked for water and all things like that. She was the woman that heard everything.

Q. Did Miss Clark testify? A. Yes, sir.

Q. Did Jackson testify? A. No, I don't remember Jackson.

Q. Did you talk before the trial with any member of the district attorney's office? A. To Gordon.

Q. Where did you talk with Gordon? A. In the office.

Q. What did he ask you? A. He asked me did I know anything about it. I said no. Only I said I was with Brown from the early part of the evening to a quarter after three in the morning.

Mr. Moss—The indorsement upon the indictment shows that No. 2 was tried and concluded. That is Brown. Nos. 1 and 3, Hoey and Cosgrove, the indictments were dismissed before Judge Fursman.

The endorsement of the district attorney is: "I recommend that the indictment against Robert Hoey and Thomas Cosgrove be dismissed. John F. McIntyre, Assistant District Attorney. July 11, 1898."

I offer for identification the indictment of the people against May Stanley for grand larceny, first degree, filed April 28, 1898.

(The indictment is marked for identification Exhibit P, November 28, 1899.")

Mr. Moss—I also offer in evidence the affidavit before the Magistrate of the Second District Court, dated April 14, 1898.

(The same are admitted and marked "For identification Exhibit Q, November 28, 1899.")

Mr. Moss—The affidavit is by the complainant, Clark M. Smith, who testifies that he is a hotel proprietor at Elmira, N. Y. On the 14th of April the sum of $90 was taken by the defendant in the night time from him. He says he met the defendant and one other woman near Forty-seventh street on the West Side, and all three of them went to a room in a hotel in West Forty-second street. The deponent is a stranger and unable to locate the premises.

Then he states the usual circumstances through which he lost his money.

There are two letters from him to the district attorney attached to the papers.

The endorsement on the indictment is as follows:

"The People against May Stanley. This is a case in which the complainant, who is a resident of Elmira, N. Y., claimed to have been robbed by a woman of the streets in this city, with whom he went to a room at a hotel. The indictment was filed in February, 1898, and the complaining witness has not since been heard from, notwithstanding that three letters have been sent to his addresss in Elmira asking him to come on and prosecute the case. It is evident that he has no intention of returning to the city for this purpose, and we respectfully recommend the discharge of this defendant's bail, as, without the defendant's testimony, a conviction is impossible. Robert Townsend, Assistant District Attorney."

Of course, on the face of that, it was possible to take his testimony by commission. But I see at once that the statement was not true.

We wrote to Mr. Smith ourselves, and received this letter from him:

"*November* 23, 1899.

"I received your letter and reply to it. I were there and swore to get her indicted, and she were. And I were called down there as a witness a couple of times, which I were there, and then I got another notice to come down Monday morning to be there that day by 10 o'clock.

"Telegraphed I could not get there before Tuesday morning on account of not knowing it soon enough. I never received no reply, and I put the matter in the hands of a lawyer here by the name of John J. Hasty, 304 Robinson Building. Anything more you want of me let me know.

"Yours truly,

"CLARK M. SMITH."

Here attached to the papers are these two letters from Mr. Gardiner:

"Mr. ASA BIRD GARDINER,

"Dear Sir—I received your subpoena this morning. While I were in New York last week I had a place burnt out and the insurance people met here Friday, April 22d. They are from Syracuse and Rochester, so if you can put it off for a few days it will help me out. You know how the insurance people is. Please let me know at once.

"Yours,
"CLARK M. SMITH."

The second letter is:

"Mr. ASA BIRD GARDINER,

"Dear Sir—I wish you could find out by the cop that arrested the girl where the place was that we were at that night. My overcoat is there, and a pair of cuffs, and I tell you that is a terrible place. This was a job between them all. I am going to have the place pulled, if I can find out where it is.

"Yours,
"C. M. S."

Those letters which I have read are addressed to Asa Bird Gardiner, and are produced by the clerk of the Court of General Sessions, and are attached to his official papers.

The Chairman—Where did you address him?

Mr. Moss—We addressed him at the address we found on the papers. Here is the advertisement of the hotel: "Clark M. Smith, Proprietor, Elmira, N. Y.," giving the street and number, below Chemung Canal Bank, corner of Water and Fox street.

I now ask your attention to the case of Michael Rubino, murder in the first degree, filed 1st of August, 1899. I offer the indictment in evidence for identification.

(The indictment is marked "Exhibit R, for identification, November 28, 1899.")

Mr. Moss—I also offer for identification the affidavit before the city magistrate of the Sixth District Court, dated July 18, 1899.

(The affidavit is marked "For identification, Exhibit S, November 28, 1899.")

Mr. Moss—As I have already stated, this indictment was filed on the 1st of August. On the 19th of October, according to the minutes of the court, it was removed to the Supreme Court.

On the 2d of November John Palmieri was assigned to the defense.

On the 14th of November the trial commenced with McIntyre and Schwartzkopf for the People, and Palmieri for the defendant.

November the 15th, that is the second day of the trial, by consent of counsel a juror was withdrawn. The defendant withdraws the plea of not guilty and pleads guilty to manslaughter in the second degree. Sentenced to the Penitentiary six months.

November 17th, Palmieri is allowed $500 fees and $102 for expenses.

I will read Mr. Hefferan's affidavit:

"Thomas Hefferan, of Riverdale avenue, age 32 years, occupation engineer, being duly sworn, deposes and says, that on the 15th day of July, 1899, at the city of New York, in the county of New York, in Macomb street, near Broadway, in Kingsbridge, in the borough of the Bronx, in said city, one Michael Rubino, now here, did then and there feloniously, wilfully and intentionally and from a deliberate and premeditated design, to effect the death of one Michael Hefferan, kill the said Michael Hefferan by cutting and stabbing him in the left side of the belly, or abdomen, with a knife, thereby inflicting wounds, as a result of which said Michael Hefferan died under the following circumstances: On the date aforesaid, at or about 11 p. m., while deponent was talking with the deceased Michael Hefferan, at the aforesaid place, said defendant rushed towards them with a drawn knife, which he plunged into the left side of the belly or abdomen of said Michael Hefferan, deceased, without any provocation or cause.

"Wherefore deponent charges defendant with murder, and asks that he be dealt with as the law directs."

The names of the witnesses endorsed are Thomas Hefferan, Officer Patrick Carroll, 40th precinct, and Joseph Lewis.

I now offer for identification the indictment of the People against George W. Dorney, filed the 25th of October, 1899.

(The indictment is marked "For identification, Exhibit T, November 28, 1899.")

Mr. Moss—It appears that the counsel assigned is G. G. McIntyre.

The case removed to the Supreme Court five days after the indictment was found, October 30, 1899.

November 16th trial commenced; McIntyre and Schwartzkopf for the People; G. G. McIntyre for the defendants.

Without leaving their seats, a verdict of not guilty.

The indictment states that the defendant poured a lot of naphtha on the body of Joseph H. Tortoni and set the body on fire, and the deceased died from those wounds.

The witnesses endorsed upon that indictment are Edward Nessmer, Francis X. Tortoni, Charles Foster, Frank J. McGovern, Samuel E. Price, John P. Messmer.

I offer for identification the indictment of the People against Michael Buczny, filed October 27, 1899.

(The indictment is marked "For identification, Exhibit U, November 28, 1899.")

Mr. Moss—This indictment is for murder in the first degree. It was removed to the Supreme Court three days after it was found, on the 30th of October, 1899.

Mr. Rosalsky was assigned on the 31st of October to the defense.

In this case of Buczny, Mr. Rosalsky, a well-known lawyer, was appointed by the court to defend the prisoner charged with murder, and he put in the defence of insanity. Whereupon Mr. McIntyre, Glanville McIntyre, who appears so constantly as counsel for persons accused of murder, is appointed as a commissioner in

lunacy. Here is the order in his case, dated November 21, 1899, before Hon. Edward L. Fursman, In the Matter of Michael Buczny, an alleged lunatic, indictment of murder in the first degree. It having been made to appear to me that Michael Buczny, indicted by the grand jury, is a person of unsound mind and wholly irresponsible, in pursuance of the statute in such cases made and provided it is ordered that Glanville G. McIntyre, counsellor at law, Robert Stanford Newton and Alexander B. Smith, Esq., be and they are hereby appointed a commission forthwith to examine into the mental condition of said Buczny and report to this court with all convenient speed.

Due notice of the time and place of commencing this session to be given to the district attorney of this county.

ISAAC RINGEL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the gentleman that served the subpoena on Glanville McIntyre last night to be present here to-day. I served him personally. I know the man from the description I got in the building. He said to me, "Well, I suppose so. I won't come." I suppose by that he expected to be subponaed. I said this is from the Mazet committee to come to-morrow morning. He said, "I suppose so. I won't come."

AFTERNOON SESSION—2.15 O'CLOCK, P. M.

TUESDAY, *November* 28, 1899.

The committee met pursuant to adjournment.

Present: Mr. Mazet (the chairman), Mr. Wilson, Mr. Costello and Mr. Hoffman.

Mr. Moss—I omitted yesterday to put upon the record the number of reports of smoke nuisances. For the completion of the record I would like to have them placed on it now. They are

affidavits. I will say that the paper that was produced by the health department yesterday, being a list of smoke cases prosecuted by the department of health since January 1, 1899, shows a total of 42 cases, of which 22 were convicted, 8 discharged, and the remainder are pending; 42 cases is the total number of prosecutions by the health department for smoke offenses since January 1, 1899.

(The following is a copy of the affidavits in respect to smoke nuisances):

City and county of New York, ss.: John Von Nebell being duly sworn, deposes and says: The annexed reports state my personal observation of places where thick black smoke was pouring from chimneys in the city of New York.

The reports are dated November 16, 17, 18, 21, 22, and are true.

JOHN VON NEBELL.

Sworn to before me this 28th day of November, 1899.

FRANK MOSS,
Notary Public, New York County.

REPORT OF JOHN VON NEBELL ON SMOKE NUISANCES IN BROOKLYN.

November 16, 1899.

As instructed by Mr. Hammond, I started at 8.30 a. m. at Atlantic avenue and Smith street, and walked down towards South Ferry, taking in the district bordered by Atlantic avenue, the East river and Fulton street. I then walked up Fulton and Washington streets to Myrtle avenue, and then down Jay street to the East river. From the tall chimney of the Arbuckle Bros. factory at the foot of Jay street, big clouds of black smoke came out. Neighbors said that that was so every day.

Going by the Navy Yard I saw thick black smoke coming out of several chimneys located in the yard.

At the foot of Cross street, I saw the tug boat, E. L. Austin, N. Y., pulling boat E. Bond up the river. I had seen the black

smoke coming out of the funnel of the tug boat some four blocks away.

The Chrome Steel Works, 649-667 Kent avenue, are another concern whose chimney threw out clouds of black smoke.

Right near fashionable brownstone houses of Division avenue, I saw clouds of black smoke coming out of the chimney of McLoughlin Bros. Publishing establishment, South Eleventh street, corner Berry street. People residing on Division avenue told me that they are not able to dry their clothes in the open air on account of the black smoke. Dirt from this smoke fell in my eye while passing in the street below.

The same complaint was made by neighbors of the factory of the New York and Brooklyn Casket Co., South Ninth street, near Kent avenue. Here also I saw the dense black smoke coming out of the establishment's factory.

Crossing the East river from Broadway to Grand street, New York, I saw the same black smoke coming out of chimneys of the Havemeyer Sugar Refining Company, Kent avenue near Broadway ferry and of F. W. Wurser's axle works on Kent avenue near the ferry. The real factory district of Brooklyn starts about here; stretching further up the river.

A tugboat having a T on the funnel and pulling a float with cars of the N. Y., N. H. & H. R. R. Co., also emitted big clouds of black smoke.

End of investigation, 1 p m.

Respectfully,
JOHN VON NEBELL.

NOVEMBER 17, 1899.

As requested by Mr. Hammond, I started at 830 a. m. for Broadway, Williamsburgh. I saw thick black smoke in large clouds coming out from the chimneys of these establishments:

Francis E. Frith, wood and coal, 118 Classon avenue; Johnson Bros., lumber, 45 Classon avenue; S. Tuttles' Son & Co., wood and coal, 596-614 Kent avenue; Brooklyn Cooperage Co., 142 Kent avenue; Chas. Pratt Mfg. Co., Ryerson avenue near Kent

avenue; Havemeyer & Elder Sugar Refining Co., Franklin avenue near Manhattan avenue; the roundhouse of the L. I. R. R. Co., Borden avenue, Long Island City; Standard Silica Cement Co., Long Island City; Chelsea Jute Mills, Manhattan avenue near Bridge; Edward C. Smith & Co., box manufacturing, 420-434 Oakland avenue; Thos. Morgan, Manhattan avenue; Oil Seed Pressing Co., Bedford avenue; Cheseborough Mfg. Co., Richard and Seabring streets, South Brooklyn; Casy's Rosin Works, Richard and Delavan streets, South Brooklyn; Ph. H. Gills, metal works, Richard and Bowne streets.

I had only about one hour to go over the South Brooklyn section between Hamilton avenue and Erie basin. This territory has all to be walked over, and is quite large. I saw lots of black smoke emanating from chimneys at a distance, but did not have time left to locate them. Twenty more violators can be easily found in this district.

Looking from Kent avenue towards the East River I saw lots of tug boats; thick black smoke coming out from their funnels.

From the Brooklyn side I saw a good many Manhattan violators.

November 18, 1899.

As instructed by Mr. Hammond, I went to-day through South Brooklyn; covering the district between Atlantic avenue, Third avenue, Fort Hamilton and the river, and found the following violators of the Smoke Nuisance Law:

Roebuck's Planing Mills, 417 Hamilton avenue; John A. Casey, oil, etc., corner Richard and Commerce streets; Spery & Beale, mattresses, 141 King street; D. J. McNeal, Columbia Engineering Works, William near Van Brunt streets; Pioneer Iron Works, William near Van Brunt street; J. Hartley, machines, 69 Delavan street; Progress Machine Works, Delavan between Richard and Van Brunt streets; Henry R. Worthington, machines, Rapelye corner Van Brunt street; W. H. Mairs & Co., wall papers, Sackett street corner Van Brunt street.

These factories are, except the first named one, amidst a thickly populated district. Some factories in this district ostensibly burn hard coal.

REPORT ON SMOKE NUISANCES IN BROOKLYN.

LONG ISLAND CITY, NOVEMBER 21, 1899.

To-day I travelled over the center section of town, going twice over the Fulton Street line as far as the City line and back to the bridge, and then over the Myrtle Avenue line to Cypress Hills. From there along Broadway to Broadway ferry. There are few factories in that section, I went over, and those that are there seem to comply with the law.

There is one wall paper factory right opposite the Ridgewood waterworks that violates the Smoke Law.

On my way from Broadway ferry to Long Island City, and then down the East River to James Slip, New York, I found the following establishments violators of the law:

The Novelty Manufacturing Company, Driggs avenue between South Fourth and South Fifth streets; American Rattan and Reed Manufacturing Co., 463 Lorimer street; Standard Oil Company, Ash street between Manhattan and Oakland avenues; Doscher Sugar Factory, Long Island City; Ferryboat "Flushing" in slip, Long Island City; Herbert & Co., foot East Twentieth street, Manhattan; two tug boats pulling floats of the N. Y., N. H. & H. R. R.; tugboat "Vossett" of the Lehigh Valley R. R. Co.; W. N. Letye Cooperage Co., 3 East street, Manhattan.

Respectfully,

JOHN VON NEBELL.

REPORT OF ALBERT H. WARD ON SMOKE NUISANCES IN MANHATTAN.

NOVEMBER 21, 1899.

City and County of New York, ss.:

From 8.45 a. m. to 10 a. m., I visited the territory bounded by the North River, Tenth avenue, Thirty-fifth street, and Barclay street and found the following smoke violations:

Holmes & Lewis Biscuit Co., "Uneeda," Tenth avenue 15th and 16th; Soap Factory and Storage, 652 West Thirtieth street, adjoining Eastern Sash, Door and Glass Co.; Swift & Co., Elev-

enth avenue and Thirty-fifth street; Watson Storage, 551 Thirty-fifth street; Wm. Soder, planing mill, 62 Clarkson street corner Washington; Pier 38, Morgan line, Steamship Elsote; Pier 35, Savannah line, Steamship La Grande Dutchess; Pier 26, Old Dominion line, Steamship ———; Pier 39, Atlantic Transportation line, steamship with white and blue funnel; south side and adjoining R. J. Dean & Co., store facing North River, between Seventeenth and Twenty-third streets, on Greenwich street.

Clouds of black smoke were issuing from the chimneys of said places.

ALBERT H. WARD.

Sworn to before me, this 28th day of November, 1899.

FRANK MOSS,
Notary Public New York County.

REPORT OF JOHN VON NEBELL ON SMOKE NUISANCES.

NOVEMBER 22, 1899.

As ordered by Mr. Hammond, I started out at 9 a. m., I went per Fifth Avenue Elevated railroad as far as Sixty-fifth street, and back to Thirty-ninth street. At Thirty-ninth street I walked to Third avenue and rode down to Court street. No violators could I discover in the Fifth avenue district. On Third avenue I found, Joseph L. Quesenboro, builder, Third avenue between Twenty-fourth and Twenty-fifth streets; Thomas C. Sidebotham, Third avenue; Atlantic Avenue Railroad company, Third avenue corner Carroll street.

From Court street I took my way to Long Island City and from there per ferry to James slip, New York. I found violating the law:

Tucke & Carter Cordage Company, Classon avenue near Flushing avenue; Wm. Vogel & Bros., Ninth street near Kent avenue; Havemeyer & Elder, Kent avenue; Standard Oil Company, Twelfth and Thirteenth streets and Kent avenue; Mayer & Loewenstein, Long Island City; G. L. Stiebull Iron Works, Long Island City; Neptune Meter Works, Long Island City; Chase, Roberts & Co., Long Island City; Barber Asphalt Company, Long

Island City; Warren Chemical Manufacturing Company, Long Island City; Long Island Railroad, Long Island City.

The Long Island Railroad is, no doubt, the biggest nuisance. They have constantly about six locomotives in their yard, close to the ferry, and their funnels constantly flow such clouds of thick black smoke that to-day the neighborhood for around a mile of the yard smelled and looked like London, in a heavy fog.

The Long Island ferryboats also burn soft coal. On my trip down the river I noticed:

The New York Dye Wood Extract and Chemical Company, Brooklyn; W. E. Uptegrove & Company, Manhattan; tugboat T. Belle McWilliams, and a tugboat of the Lehigh Valley Railroad use soft coal.

Respectfull,

JOHN VON NEBELL.

PATRICK MULVIHILL, being duly sworn, testified as follows:

Mr. Moss—I offer for identification the indictment against Barry B. Campbell for grand larceny in the second degree, filed April 13, 1899.

(The indictment is marked "For identification, Exhibit 1-A, November 28, 1899.")

Mr. Moss—Also in the same case the affidavits in the City Magistrate's Court, Second District, April 8, 1899.

(The affidavits are marked "For identification, Exhibit 2-A, November 28, 1899.")

Mr. Moss—The affidavit shows the theft of goods amounting to $226.25. The case appears to have been on the calendar on May 12, 1899, in the General Sessions. The minutes show that this case was removed to the Supreme Court on November 3d, and the minutes also show that on November 9th an order was entered discharging the defendant on his own recognizance.

Examined by Mr. Moss:

I did not know until yesterday that the defendant in this case had been discharged; yesterday a gentleman told me.

Mr. Moss—He was discharged upon the recommendation of John Schwarzkopf, deputy assistant district attorney, and John F. McIntyre, assistant district attorney, in the Criminal Branch of the Supreme Court.

The Witness—I did not know anything about this man being discharged; not at all. Some time ago they asked me if I would not intercede for him. There was some business men asked me, and the district attorney's office—they sent me word if I would not. They called for me to call down at the district attorney's office. I went. They asked me if I was willing to withdraw the complaint. I don't know the name. I suppose it was a member of the district attorney's office.

By the Chairman:

I believe it was the assistant district attorney with whom I talked. I do not know the name. They did not write for me to come down there. No, there was a man came up to the store.

By Mr. Moss:

I did sign a withdrawal at their request. I recommended him to the mercy of the court. That was it. I looked upon him as a guilty man. Of course, I lost my goods, and he was the man that stole them. And upon the intercession of the district attorney I recommended him to the mercy of the court. I signed a paper to that effect. I expected that they would have mercy on the man; that there was private individuals came to me and asked me to do it—business men. I did not expect that he would be absolutely turned out without any day in court at all. I should think they ought to notify me. I felt that they ought to notify me when it came up in court.

Mr. Moss—This man pleaded not guilty on April 14th. The affidavit of Peter Smith was the affidavit of a salesman in the employ of Mr. Mulvihill.

The Witness—He was put under bonds, this man; and it seems he escaped as soon as he got out. He escaped after he gave bonds.

Mr. Moss—No, they discharged him and then he had a right to go.

The Witness—Oh, that must be lately.

Q. Let us see. November 9th he was discharged? A. Yes, sir. I don't know—I didn't know that he was discharged.

Q. When was it he went away? A. After he gave bonds. When he was arrested.

Q. Then he was in the position of a fugitive from justice, was he? A. I believe so.

By Mr. Costello:

Q. How much goods did he steal from you? A. $226 or $227. That I missed right after he went away from the store. He was not a clerk in my store. Oh, no. He came in—in the daytime; in the afternoon.

By Mr. Moss:

My clerk has not a weak mind. He has not; no, sir. He was sick, though. He was a sick man, and he has not been well since.

Mr. Moss—There was nothing, as in the Levy case this morning—no weak-minded witnesses?

The Witness—No. I have had him twelve years. I never saw it.

Mr. Moss—I will read the indorsement:

"The indictment was found upon the uncorroborated testimony of one Peter Smith, a salesman for Mr. Mulvihill, from whom this property was stolen. Mr. Mulvihill has been examined by me and has signed the within withdrawal. He tells me that the witness Smith is about sixty-five years old; that he is not of very sound mind."

The Witness—I never made that statement. I never meant to make it. I never thought such a thing. If I did I would not be telling the truth.

Mr. Moss (continuing)—"And that he, Mulvihill, is satisfied of defendant's innocence."

The Witness—Oh, no, no. I never said that. A man losing so much goods. How could he say that? I never said that.

Mr. Moss (continuing)—"There having been no exclusive opportunity, and on his previous good character——"

The Witness—I did not tell him that the man was of good character, previously. I knew nothing about the man. I would not know him if I saw him again.

Mr. Moss (continuing)—"Upon these facts a conviction herein cannot be expected, and I therefore respectfully recommend the defendant be discharged on his own recognizance. Dated New York, November 6 (I think it is), 1899. John Schwarzkopf, deputy assistant district attorney. I concur in the above. John F. McIntyre, assistant district attorney."

The Witness—I do not know anything about these statements that are attributed to me. I never saw Mr. McIntyre.

Mr. Moss—It states that there is a withdrawal of this charge, and that it is annexed to the papers, but there is not any such annexed to the papers.

The Chairman—He said that he signed the withdrawal.

Mr. Moss—He does not say that. He made a recommendation of mercy. There is nothing attached to the papers such as the district attorney speaks of.

By the Chairman:

The paper is not in my handwriting that I signed; it was drawn up by somebody else. And I signed it because they annoyed me. They came in there and wanted to know why I didn't let up on this man. That is, a respectable business man came in. I wondered that they took such an interest in him, a man that came in and plundered the store and took the goods away.

By Mr. Moss:

There were people who took a deep interest in this man; business people. They were in the same business I was in, the

jewelry business. They were taking enough interest in him to come to me and ask me to withdraw the charge or to be easy on him.

STEPHEN O. LOCKWOOD, being duly sworn, testified as follows:

Mr. Moss—I offer for identification the indictment against Byron W. Cohen, James W. Daskam and Henry W. Belcher for subornation of perjury; indictment found April 8, 1891.

(The indictment is marked "For identification, Exhibit 3-A, November 28, 1899.")

Mr. Moss—I offer also for identification these papers indorsed "Failure to find witnesses."

(The papers marked "For identification, Exhibit 4-A, November 28, 1899.")

Mr. Moss—The minutes of the court show that while this case remained in the Court of General Sessions from April 8, 1891, on June 9, 1899, it was removed to the Supreme Court by the same method that has been shown in other cases. On March 24, 1899, and prior to that removal, a motion to discharge the bail was made before Judge McMahon, in the Court of General Sessions, and denied. The motion to discharge the bail, denied in the Court of General Sessions, was March 24, 1899.

Examined by Mr. Moss:

I think in October, 1890, a Mr. Roberts died in the city—died in the city of Brooklyn. An application was made for an administration of his estate. About a month after the petition was filed a second petition by somebody purporting to be the widow of Mr. Roberts. That was Cassie Helen Brooks, so-named. It afterwards transpired that she went by that name. She claimed to be his widow. On investigation of the matter we ascertained that the Brooks woman had never seen Mr. Roberts in his life-

time, did not know him. Well, I do not know how much of this I can say of my own knowledge. My firm was counsel for the relatives of Mr. Roberts. I met the Brooks woman in Jersey City and she said to me—she told me that she never had seen Mr. Roberts in his lifetime. That was an admission to me of a fact contrary to that which she swore to in her petition. That about a month after the death of Mr. Roberts she was asked to sign a petition and was told if she signed the petition she would get, I think, $50,000; that she did sign the petition and subsequently she went to Philadelphia. Daskam—one of the defendants in this case, they remained there some two or three weeks, I believe. In the meantime we had had some interviews with Mr. Cohen. That is another defendant. Cohen was, I think, the attorney—his name appeared on the papers. I am not quite sure whether it was Cohen or John F. Baker. At all events Cohen was the attorney and associated with Mr. Baker, who was, I think, counsel. I understood that subsequently an indictment was found for subornation of perjury. I was subpoenaed to attend on the trial. Daskam was a resident of Connecticut; and at the time I believe he could not be extradited. The Governor of Connecticut and the Governor of New York were not on terms of exchange of that sort of courtesy. Cohen was called for trial but did not appear. Then Cohen forfeited his bail. I saw it so stated in the newspapers. I have no knowledge of that fact. My connection with the case was known in the office of the district attorney. I was subpoenaed as a witness. I reckon it was about 1891. Possibly 1892. Since 1898 I have not been called by the district attorney's office, in this case. No, I have not heard anything from the district attorney's office, that I recall, since the time the trial was set down for. Neither during Mr. Olcott's administration nor Mr. Gardiner's administration have I heard. This was an attempt to get possession of the Roberts estate by means of this perjured petition, and the appointment of Cassie Brooks as administrator of the estate on the face of it. I do not think the parties expected to get the estate, or the whole of it. I think that by filing the petition they expected to force a compromise. It was a complicated matter

between the next of kin and the heirs-at-law of Mr. Roberts. But Roberts had been at one time a resident of Pennsylvania, and by reason of the difference of the laws of New York and Pennsylvania as to inheritances and as to distribution, if he was domiciled in Pennsylvania at the time of his death, the cousins would come in and share in the distribution of the estate. If domiciled in New York they would be excluded. Now, there was this contention between the uncles and the aunts, the nephews and nieces. The uncles and aunts contended that Mr. Roberts was domiciled in New York, and by reason of that fact they took the whole personal estate. The cousins contended that his domicile was in Pennsylvania, and if so they came in to share in the distribution. This petition was to my mind—of course she claimed the widow's share in the estate; but the purpose evidently was, there was to be no settlement while the question of widow or no widow was pending. The purpose was to force a settlement. The important point of it, so far as this case is concerned, was that the petition contained the affidavit of this woman to the fact or the claim that she was his wife; and that was untrue.

Mr. Moss—I will read the indorsement. "This indictment is over eight years old, and has been disposed of as to the defendant Cohen. As to the defendants Daskam and Belcher, I recommend the discharge of the defendants' bail, for the reason that the people are not now and never will be, in my judgment, able to secure a conviction on account of failure to locate the material witnesses in the case. The complainant is Delancy Nicoll, who at the time was district-atorney of this county, but whose name appears on the papers in an entirely formal capacity only. He tells me now that he remembers nothing of the facts of the case. Robert S. Honey, deputy assistant district-attorney. I concur in the above, James W. Osborne, assistant district-attorney."

The Chairman—This disposition was made after the case was transferred to the supreme court.

Mr. Moss—After it was transferred to the supreme court.

WILLIAM JOSEPH FEATHERSON, being duly sworn, testified as follows:

Examined by Mr. Moss:

I did know Patrick Lyden. I did know Michael Lyden. Michael Lyden was killed by Dudley Smith. Dudley Smith was a colored man. This murder took place at No. 62 Amsterdam avenue. This is the case that was tried during this month in the supreme court.

Mr. Moss—This was the case that we referred to from the court minutes yesterday. It was one of the two cases that were tried this term. It was removed to the supreme court on October 16, the trial commencing on November 2d, McIntyre for the People, O'Hare and Donin for the defendant.

The Witness—I was the eyewitness there. I saw it done. I saw Mr. Lyden killed by Dudley Smith. Me and Michael Lyden was after coming from a saloon on West Sixty-second street, and we were coming down Amsterdam avenue, and I told Michael Lyden to go home to his supper, and he said, "Wait till we go in and have a drink;" so Michael Lyden had his coat on his arm and he walked in a saloon, where the murder happened, and I walked in after him. So Michael Lyden said to me, "Wait till I go into the toilet;" and I said, "I think I will be with you, Mike;" and the pair of us went into the closet. So Michael was standing up to do his business, and Michael took another fit to go in and sit down on the seat, so as Michael went in he said—he seen this nigger sitting there. Dudley Smith. He said "Oh, here, Bill, here is Dudley Smith here. Here is the fellow that fired the two shots at Casey two weeks ago." So I spoke to Dud. I said, "What did you want to peg the shots onto him for?" He didn't give me no satisfactory answer, so I called him a few names. I couldn't tell you the names now. I said, "You never were no good, anyhow. That was all you ever did carry in your gun, was blank cartridges." So I was just about to say to Mike, "Come on Mike," and he stood up in his seat like this, with his arm on the suspender like that, and he commenced to

holler for the boys; so I told him not to holler; nothing was going to happen. So him and Lyden had a conversation—I couldn't hear the words; and all of a sudden he pulled out a pistol from under his suspender and fired three shots into Lyden. The first shot the powder catched me in the eye and I went outside. All I could hear was Michael Lyden saying, "Bill, I am shot." There was not a blow struck in the closet. Michael Lyden did not have a pistol. He did not have a knife. No, sir, nothing in his hand. He did not have a stick. There was no fighting before the shots were fired. Michael did not have his hand before Smith; he was about four feet away from Smith before he shot him. The conversation was all about the shots that Dudley Smith had fired at Casey. I do say positively that there was no provocation at all for the shooting. Not a blow was struck that I could see, and I was right alongside the man that was shot. This Dudley Smith who killed Michael Lyden was a man given to fighting and brawling and hurting people. He was a man that always carried a gun. I knew him for the last ten years, and he always carried a gun and a big jack knife; him and his pals. I have two women here that he struck. He cut this woman so bad with a knife, Maggie Johnson; and he beat her mother over the head with sticks, and nothing ever done with him. I don't know why not. I couldn't tell you that whether he has a pull. He fired shots at Casey. He did not hurt Casey. It would have hurt him, only they were blank cartridges. He shot at William McVey. He didn't hurt him. I don't know who else Dudley Smith had shot at or struck at. I don't know their names but I could get them. There are others. A bad man. I have known him to be in a pool room all night and never work. That pool room was at 61st street and Amsterdam avenue. It was Buckley's. Buckley himself backed it. There were other witnesses to this shooting besides myself. The day that this man got discharged I had McVey down there, and I had John Casey down there, and I had John McDonald down there; but it seems no one was called. John McDonald was the man that was with

me when the shooting took place. He seen the last two shots pegged when I called him from the outside. From the first shot there was powder that flew and blinded me and I went out. I heard two other shots and I called McDonald and he saw the other two shots fired. McDonald ain't here. McDonald was ready to testify to that. I and McDonald were eyewitnesses of this thing and were present in the court. The two women was there at the time. McVey was there and John Casey. And I knew of these other persons. A couple of days or the day before election day, when he set the trial back to Wednesday, I told the district attorney about Maggie Johnson and these other people, and he said it was too late. The case was put back until the day after election. It was on before election, and that day he put it down at half past ten Wednesday morning.

Mr. Moss—That accords exactly with the minutes we read the other day. The case was on Friday and it was adjourned over from Friday until Wednesday after election.

The Witness—On that Friday I told the district attorney about these other persons who had been injured by Dudley Smith. I told him about Maggie Johnson and Mrs. Johnson. I told him what I knew. McDonald told him what he knew. I did not see him talking to the district attorney. I couldn't tell you whether the district attorney talked with McDonald. The district attorney knew that McDonald was an eyewitness. Yes, sir, I guess he did. At the coroner's jury, I think, or when Smith was indicted for murder, the way the papers were. This case was on trial the Friday before election. I think there was a few murderers fetched up and sentenced. McIntyre and him—whatever the lawyers said to the judge, I couldn't tell you that; but he said "Wednesday morning at half past ten." Then there were no witnesses examined in Dudley Smith's case on that day. I don't think so; no, sir. The jury was impanelled. They were all in their seats. They didn't leave their box. Mr. McIntyre and Mr. Schwarzkopf were there, and Mr. O'Hare was there for the defendant. I think no witnesses were examined that day. No, sir; I don't think there were. The case was then adjourned over election, until Wednesday, at half past ten.

Q. This Dudley Smith was quite a prominent man among the colored folks, was he not? A. He was a bad man, yes. He was well known among them. I do not know anything about a meeting that occurred at the Pontiac club at which this thing was mentioned. No, sir; only what I told Mr. Lyden about what the officer said. There was an officer who told me what happened there, Officer Kelly. I couldn't tell you whether he was concerned in this case. He told me something that happened at the Pontiac club. He said he heard it. He said he heard at the Pontiac club—the colored people were there; and some man said if they voted this way Dudley would be walking the street after election day, and if they didn't Dudley would have to stand trial. I don't know who the man was that told the colored people that. Some man that was speaking up there. Officer Kelly did not tell me who that was, I don't think he did. I forget the name if he did. Officer Kelly said that he kept the door at that meeting. I am pretty sure; yes, sir. Officer Kelly told me that he kept the door at that meeting, and that there were only colored people admitted to the meeting. That is as far as I understand. And that a man told them there, if they would vote a certain way on election day Dudley Smith would be turned out, and if they voted the other way he would have to stand trial. Well, election day came; and then came Wednesday, the day fixed for the trial. Me and McVey and John Casey and Mr. Leyden got down at half past ten to the minute, and were sitting over in the corner, and we heard "Dudley Smith" called out to the bar. Dudley Smith came out, and he sat in front of the jury in a chair, and I seen the district attorney get up and say something to the judge that I couldn't understand, and then the lawyer said something and the judge said "Discharged." I could not really know that he was discharged until I asked the officer at the door. They told me he was discharged. I did testify against Dudley Smith in the Supreme Court before the jury. I did tell my story. I think it was on on Tuesday—the day before Friday—before election. McDonald told his story. McVey did not tell his story. Casey did not tell his

story. Neither one of those men was called. There was no testimony put in about the habits, the brawling, fighting habits of Mr. Smith, not that I heard of. Mr. Smith did not testify, not that I seen. I did not hear him testify. The jury did not leave the jury box, they got their verdict right there.

Q. Was any testimony taken at all on the Wednesday after election? A. That I am not positively sure, I don't think there was. The lawyers did not make speeches on that day, the day after election.

Q. Did the judge make a speech to the jury? A. Well, I forget. I was excited at the time.

By the Chairman:

I was in court on that day. The day after election day. The two officers that made the arrest wasn't there. I didn't see them there.

By Mr. Hoffman:

I know Officer Kelly for the last seven years about. That is about what I can count on. I had a talk with Officer Kelly in relation to the matter I have stated before the committee. I think it was the night after election, or two nights. I aint sure. That is as far as I can come to it. This conversation occurred outside of Mrs. McGee's hotel, Sixtieth street and Amsterdam avenue. I think it was a little after one o'clock; coming up to one o'clock in the morning. Nobody was present with me at the time I had this conversation, nobody but me and the officer. We were walking down the street towards West End avenue.

Q. When was this case tried in the Supreme Court, Criminal Branch? A. Wait; I think we got called on November 1st, November 2d and November 3d. The jury was placed in the box, I think it was November 3d. I did testify on November 3d. I went upon the witness stand, I think so; yes, sir; November 2d or 3d. It was either the 2d or 3d that I testified. Other witnesses testified on that day. I think John McDonald did, and the porter where this murder happened.

Q. Any other witness? A. No, I don't think so. Yes, sir; I think it was Officer White.

Q. Do you remember what day November 3d was on? Was it on Wednesday or Thursday? A. I couldn't tell you. I think it was postponed again until the following Friday; and then from Friday it was postponed until after election day—Wednesday after election. It was after the case was postponed that I spoke to Officer Kelly. Officer Kelly was not a witness in this case. I think there was with me John McDonald and Officer White and a colored man named Morris, called as witnesses.

Q. Did you all make the same statement? A. I don't know. I was locked up when McDonald was testifying—in a room. I was committed to the house of detention. I lay there five weeks, yes, sir. I did not know what witnesses were called while I was locked up. I did not know what they stated. I was discharged from the house of detention; I think it was in October. The murder occurred on the 26th day of June, and on the 27th day of June I was committed to the house of detention, and I laid thee five weeks. It was July, I believe. I was not in the house of detention at the time the case was tried in the Supreme Court. I was discharged.

Q. What did you mean by stating before that when the other witnesses were testifying you were locked up? A. I mean when we were in the Supreme Court; when I was done on the witness stand I was set in a room, and then McDonald was put on the stand. I could not hear what McDonald was saying at all. I think it was two days after Dud Smith was discharged that I spoke to Officer Kelly. Me and him was walking down the street and I was speaking. I don't know what I spoke about now, but anyhow he says to me, "Why," he said, "It had to be done," or something like that. He said he heard up in the Pontiac club that there was some man speaking where he told these colored men if they didn't vote this way Dud would have to stand trial and go to the electric chair, and if they did vote the right way Dud would be walking the street the day after election. And he told me this after the case had been disposed of.

By the Chairman:

He said it would have to be that way. I was talking about this same man being discharged, and he said it would have to be that way. I said I thought it was a funny act.

By Mr. Costello:

The case had not been submitted to the jury. They did not go out.

Mr. Moss—The record shows that they did not go out, as I understand it. They found their verdict in the box.

Mr. Costello—What defense was there?

Mr. Moss—That I cannot tell yet.

Mr. Hoffman—The difficulty is we do not have the evidence presented by the defense. For all we know there might have been a substantial defense entered upon which the jury could not find any other verdict.

Mr. Moss—The proof is, thus far, that there was no evidence for the defense, and the minutes show that.

LAURA LEYDEN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was related to Michael Leyden, who was killed. I am his sister. I was in court during the trial—during this month in the Supreme Court. I remember the first day of the trial. I can't really tell the date—the early part of November. I was not there when the jury was impannelled. I was not there when they began to take testimony. I did not hear Mr. McIntyre address the jury at the opening of the case. I was not present when Mr. Featherson testified; not all; just towards the end. I wasn't there with Mr. Featherson, but when Mr. McDonald testified. I was in court on the day after election, when the case was finished. No witnesses were examined that day.

Q. No witnesses for either side? A. Well, I don't remember. I don't think there were. No, I didn't hear the lawyers address

the jury. I didn't hear the judge charge the jury. It took that Wednesday to finish the case—a very short time; a very few minutes.

By the Chairman:

There didn't hardly anything take place. I was there a little while, and I heard the district attorney speak a few words, and then the judge discharged the defendant. I think it was District Attorney McIntyre. He spoke a few words.

By Mr. Moss:

To the judge. I was present in court on the Friday before election. There were witnesses examined on that day. Mr. Featherson and Mr. McDonald and the officer. After Featherson and McDonald and the officer were examined there were witnesses examined for the defendant. I don't know his name. I think it Morrison—Morris.

By the Chairman:

He was a colored man.

By Mr. Moss:

Dudley Smith did not testify.

Q. Did the lawyers on that day sum up the case to the jury? A. Yes, sir; I think so. I didn't hear the judge charge the jury on that day.

Q. We have it, then, that on that day, the last day the testimony was taken, Mr. McDonald was examined? A. Yes, sir.

Q. And the officer? A. Yes, sir.

Q. And a witness for the defendant? A. Yes, sir

Q. And the lawyer summed up? A. Yes, sir.

Q. And when the case was continued on the Wednesday after election there was nothing done that you could observe except that the district attorney spoke a few words to the judge? A. Yes, sir.

Q. Did the jury leave the box? A. Yes, sir; right after it was discharged.

Q. But they did not go away to consider their verdict, did they? A. No, sir.

Q. They found their verdict right in their seats? A. Yes, sir.

Mr. Costello—Who was the judge?

The Chairman—Judge Fursman.

By Mr. Hoffman:

Q. Do you remember whether the judge spoke to the jurymen in the box after these lawyers had finished making speeches to the jury? A. No, I did not.

Q. Did you hear him say anything to the jury on Friday? A. No, sir.

Q. Did you hear him say anything to the jury on Wednesday? A. No, I did not.

Q. Or the Wednesday following Friday? A. No, sir.

Mr. Hoffman—The judge is obliged to charge the jury. If counsel sum up the case——

Mr. Moss—It is not a question of what the judge is obliged to do. It is a question of what he did do. It is a remarkable case. That is one reason why I brought it here.

EDGAR F. KELLY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am attached to the Twenty-sixth precinct. I was not at the Pontiac Club the evening before election. No, sir, I never was in the Pontiac in my life. I was not near it. No, sir, I don't know where it is.

By the Chairman:

My post is Sixtieth street. I know where the old Pontiac club was on Amsterdam avenue. Between Eighty-first and Eighty-second streets; it is now, I believe, some kind of a fraternal organization.

By Mr. Moss:

I was not at White Oak Hall the evening before election. The evening before election I think I was at the station house all night. The whole time. I am sure I was at the station house the whole of that time, from 6 to 12 o'clock the evening before election. One hour for supper. I am sure, except that one hour. Yes, sir, I am positive. The night before that from 6 to 12 o'clock I was on post. My post was Sixtieth street from the Boulevard to West End avenue.

By the Chairman:

I suppose that should be Sunday night.

By Mr. Moss:

I was on Sixtieth street Sunday night. On Saturday night from 6 to 12. I couldn't exactly say where I was. I think Saturday night—I won't swear whether it was Saturday or Friday night—I was at Miner's theatre at Eighth avenue and Twenty-sixth street, taking in the performance. That was my night off. I arrived there at about quarter of 8.

Q. Did you not have a night off Saturday night? Just think for a minute. A. That is what I speak about, Saturday night.

Q. You are speaking of Saturday night now? A. Yes, sir.

Q. Are you sure that you arrived at Miner's theatre at 8 o'clock Saturday night? A. A little before 8 o'clock. I left it when the performance was over, about 10.45. On Friday evening from 6 to 12 I was at No. 46 Amsterdam avenue. That is my home. I was there the whole time. From 6 to 12 o'clock; all the evening. Thursday evening from 6 to 12. Well, I was walking around. All around that neighborhood. Thursday night before that, I think, if I am not mistaken, I was at a meeting in Sixty-seventh street and Amsterdam avenue. A Republican meeting. At Amsterdam and Sixty-seventh. I was listening to the meeting—to the speakers. That was a night off. I was not at White Oak Hall either Thursday, Friday, Saturday or Sunday evenings. I was not at Eighty-first street and Columbus

avenue on any one of those evenings. I was not present at any place where there was a meeting of colored people on either one of those evenings or any evening that week. I did not hold the door at any place where there was a meeting. I did not keep the door anywhere. I have only been at one meeting this year, and that was Sixtieth street and the Boulevard, a Republican meeting. I was detailed there. That is the only one I have been at this year. I did hear what Mr. Featherson said on the stand. I had no conversation in relation to that case with Mr. Featherson. The only conversation I held with Mr. Featherson was on the Saturday morning that he spoke about. That was the Saturday morning following election. It was about five minutes past 1. I met Mr. Featherson with another gentleman, partly intoxicated, and I advised him to go away; and then he commenced to tell me about this case; and I says, "If anything happened like that you had better go away and keep it to yourself."

Q. If anything happened like what? A. He claimed some political party had got this colored man——

Q. There was a talk, then, on the subject, and you said he had better go away and keep it to himself? A. Yes, sir. I told him that to keep from getting arrested. He was looking for a fight when I met him.

Q. You just said he told about some political party interfering in this case, and you said if he knew anything like that he had better keep it to himself, and not to get into trouble? A. Yes, sir. I knew if he would go around and accuse somebody, if such a thing did occur—the best thing was for him to keep it to himself; and I was advising him for his own good only. I thought he would be likely to get into trouble? Somebody would take it up. That was a kind of accusation that would be likely to get a man into trouble. I depends on the man that you abuse. And how powerful the man is, exactly. And what position he holds. And if that man who was affected by such an accusation, holds a position of prominence, it is not likely he is going to stand by and not take care of himself. And if that man should be a commissioner of police it would be a pretty hard

thing for a policeman to talk about such things, certainly. Featherson claimed that the Tammany Hall people of the Nineteenth district was accountable for this man getting free, and I told him I knew nothing at all about it. He was telling me. He was partially intoxicated. I said, "Now, here, if you know such a think as that to be a fact, the best thing is for you to keep it to yourself." That was all the conversation.

Q. What harm is there in telling that to an honest policeman, between 1 and 2 o'clock? A. Well, no harm, in fact. But if the roundsman came along it might be a conversation complaint.

Q. But you could have told the roundsman the important information you were getting from a citizen. That would have been an excuse would it not? A. He would refer me to the broken rules, and refer me to the station house.

Q. Were you afraid of the station house, in a matter of that kind? A. No; but I am afraid of the commissioners, though.

Q. Was the Pontiac club mentioned in that conversation? A. Not that I know of.

Q. Did he say to you that there had been a meeting of the colored people? Did he not tell you that? A. Not to my knowledge.

Q. Did he not mention that the colored people had been spoken to on that subject? A. He said he heard that.

Q. He said he heard that the colored people had been talked to? Did he not tell you that he had heard that the colored people had been told that if they would vote one way, Smith would get out of it, and if they voted the other way he would have to stand his trial? A. That is what he told me.

Q. Where did he tell you he heard that? A. I don't know. He didn't say where he heard it. In fact, I didn't bother my head to ask him where he heard it.

Q. Why not? A. Because I didn't think it was my business.

Q. Did he not hear it from you? A. No, sir, he did not.

Q. How long have you known him? A. I never spoke to the man in my life until this night.

Q. Why should he have mentioned that to you? A. Sometimes when a man is partially intoxicated he will say anything.

By the Chairman:

Q. Where does Featherson live? A. I don't know where he lives.

Mr. Hoffman—He stated here that he has known you for seven years.

The Witness—He may have known me to see me. I have known him to see him for seven years, probably, or more.

By Mr. Moss:

Q. You had? A. No, sir, not to speak to him; but to nod to him by sight.

Q. You knew him well enough to nod to him and speak to him? A. I wouldn't want to speak to him. I would nod to him.

By Mr. Hoffman:

Q. Why? A. Because he is a character I would not like to nod to. He has been arrested 8 or 10 times, to my knowledge. Drinking and disorderly, most of the time. It was only about a month before this conversation that he was in the way of calling out the reserves in that street because of a fight down there.

Q. Had reserves been called out for him before that? A. I wouldn't say they were called out directly by him.

By Mr. Moss:

Q. Do you mean to say that the reserves of the station house were called out to take care of Mr. Featherson? A. No, Mr. Featherson and his associates.

Q. You could take care of Mr. Featherson yourself, could you not? A. I could individually, yes, sir.

By Mr. Hoffman:

Q. This man Featherson has stated here that he had a conversation with you, I believe on Wednesday, succeeding the elec-

tion, in which conversation he has stated upon the stand you told him that you had held the door at a meeting of the Pontiac club, at a meeting of a number of colored people. Is that so?

The Chairman—Mr. Featherson did not make any such statement as that.

Mr. Hoffman—He made the statement, with the exception of the night.

The Chairman—He said Mr. Kelly had told him of such a meeting.

Mr. Hoffman—That is the form of my question.

The Chairman—As I recall the former witness's testimony, he did not testify that the officer actually had held the door at any such meeting, but the officer actually had told him there had been such a meeting.

Mr. Hoffman—I understood the testimony to be that he held the door, and that the officer actually stated to him what occurred.

The Witness—Mr. Featherson did state I held the door. I have not been in the Pontiac Club. I have not attended a meeting of the Pontiac Club. I have not been present, inside or outside of any door of the Pontiac Club, when there was any meeting of colored people, or any other persons. I did not tell Featherson anything in relation to this Leyden case which was on trial, or which had been tried. No, sir; I never spoke about the case. I never said anything to him at all. Only what I have testified. Whatever conversation occurred was the conversation I stated. I said nothing to him. At the time he made the statement he was partially under the influence of liquor. Yes, sir; there was two of them together.

By the Chairman:

The other man, I think, if I am not mistaken, his name was Crow. Cornelius. We have been boys together; raised up together. I have lived there all my life. I have known Cornelius Crow since we were boys. He was not drunk, too. He was sober.

Crow lived on Columbus avenue. I don't know where he lives now. They were together when I met them.

By Mr. Hoffman:

Q. Featherson has stated that there was another person present, other than yourself and himself, at that conversation. Is that true? A. There was two there at this conversation.

Q. This man Crow, and himself and yourself? A. This man Crow and himself and me. Three, I should say.

By the Chairman:

The conversation took place on Sixtieth street and Amsterdam avenue, northwest corner.

By Mr. Hoffman:

I can not enumerate the different offenses for which this man Featherson has been arrested. He has never been arrested since I have been in the precinct. I have been in the precinct over a year, now; on the police force three years. I was appointed 1896; November, 1896.

By the Chairman:

He has not been arrested for a year. That is, not to my knowledge.

Q. Where did you get your information about his previous arrest? A. I live right on the avenue there, and I have lived there all my life. I could hear of those cases. I heard of them.

By Mr. Hoffman:

The reputation of this man Featherson in the community is very bad.

WILLIAM DAVIS, being duly sworn, testified as follows:

Examined by Mr. Moss:

I know Dudley Smith. I know that he was on trial for murder. I do not remember a little gathering of the boys together

a few nights before election, at which we had a little conversation about Dudley Smith and his trouble. I do not know it was mentioned.

Q. You had a little gathering at which there was talk about the trial that was going on about Mr. Smith? A. I don't know anything about that.

Q. Did not some one speak to you about Mr. Smith—you and some of your friends—about Mr. Smith and the trial that was going on, and what could be done to save him. A. No, sir.

Q. Do you know where the Pontiac Club is? A. I don't know the name of it.

Q. You know where the club is at Eighty-first street, do you not? A. No, sir; I never was up there. I do know where White Oak hall is. I was there at one time. The last time I was there, there was a dance there.

By the Chairman:

Q. What was the other club you were speaking of? A. In Sixty-fourth street.

Q. What club was that? A. It was a club. I don't know the name, but it is a pool room now. Forms owns it.

By Mr. Moss:

At this place on Sixty-fourth street there were a number of colored men gathered there one night before election. I was with them at Sixty-fourth street.

Q. What were you talking about? A. I didn't have anything to do with it.

Q. What were the boys talking about? A. They were talking about one thing and another. They were talking about things there.

Q. Talking about the election? A. They were speaking about the election.

Q. Was there not a man present at that meeting, or at that place where the colored men were, who told them how they could help Smith? A. I didn't hear it, no, sir.

Q. Was there not such talk at that meeting? A. No, sir, I was only in there about half an hour, and I went down to Pennsylvania——

Q. Did you not hear at that meeting that there was some talk about the colored man that was on trial for murder, and what could be done for him? A. No, sir.

Q. Was that not told you by some of the people down there? A. No, sir, I never heard anything like that.

Q. What were you there for? A. I went around there to hear them speak. Sam and George Campbell and those fellows were around there speaking, and they asked me to call and hear them, and I came around there and stayed a little while.

JOSEPH LEWIS, being duly sworn, testified as follows:

Examined by Mr. Moss:

Mr. Moss—In this case we introduced the indictment before adjournment. I call the witness, Lewis, now to complete that case. It is the case of Michael Rubino, marked Exhibit R.

The Witness—I was a witness to the killing of Michael Hefferan by Michael Rubino. The first I seen of it I came out of the restaurant after eating my supper, and just as I came out I seen out in the street, near the corner of Broadway and Macomb street, three or four Italians and another young fellow by the name of Gilmartin, fighting. It seems that Gilmartin got the best of the two of them, and knocked two of them down, one on the other, and one of them ran away. The last one, Michael Rubino, or whatever his name is—he was the last one that this fellow knocked down, and he knocked him in the gutter, right alongside of the sidewalk and I stepped down into the gutter, and pulled him out of the water, and he sat up until he got straight, and then started back towards the corner again. At that time, Tom Heffernan, brother to Michael Heffernan,—he and another fellow were fighting on the sidewalk, and this Italian got up there, and he pulled his knife out, and stabbed two or three; stabbed two

more fellows beside the one he killed. I did testify in the supreme court.

Mr. Moss—This is the case where the juror was withdrawn and the plea was taken of manslaughter in the second degree, and the penalty of six months was imposed.

JOHN P. DUNN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am connected with the office of the corporation counsel. I am assistant corporation counsel, in charge of the bureau of street openings. I have had that position since the bureau was organized in 1893. I recognize this as the quarterly report under March 31, 1899, of the corporation counsel, and in that is my report. At the end of that quarter March 31, 1899, 382 proceedings for street openings were pending. In 246 of those proceedings commissioners had been appointed. In 136 cases the commissioners had not been appointed. Of course it is contemplated that commissioners will be appointed in all of those cases, undoubtedly. Three commissioners in each case. These proceedings are the regular proceedings for the opening of public streets in the new territory generally, and the regular custom is to have the court appoint three commissioners in each case. If there are 382 cases there, that means three times 382 commissioners, if all the commissioners were different in each case, which is not the case always. It is generally so. There are quite a number of instances where the same man holds an appointment on several commissions. Cases of three or four. Those cases are occasional. I can't tell you how these commissioners are selected. They are appointed by the justice of the supreme court on the application of the corporation counsel. The statute prescribes how they shall be appointed. The appointment is by the judge of the court sitting in special term at the time the application is made. The corporation counsel selects the time when he will apply for the appointment of commissioners. It is not altogether within his

discretion. The corporation counsel cannot proceed until after he gets from the board of public improvements, or from the former board of street openings and improvements, the requisite information to make an application. That is to say he has got to receive a rule map which describes the streets to be opened, together with the technical description, and very often six or eight months or a year elapse between the request for the appointment of commissioners and the actual application. It may be that the street is merely a paper street that has not been monumented. If that is the case the surveyors have to be sent along it to monument the street, so that a description, accurate in every respect, can be made of it, to be published in the application for the appointment of the commissioners.

Q. It is often the case that a proceeding hangs in the corporation counsel's office because of the delay in the other department in not furnishing that map, is that not so? A I would not characterize it as delay, because very often they find that they have not the requisite data, and that has got to be gotten before they can proceed. After we have the requisite data the corporation counsel usually decides how soon or when he shall apply.

Q. And who is there to compel him to apply at any particular time? A. Only the property owners. The corporation counsel is permitted by the statute to suggest the names of commissioners. He may suggest three. He may nominate three. It is the custom for the corporation counsel to nominate three always. I could not say how often—in about what proportion of the cases—are three appointed that are nominated by the corporation counsel. I could not even say that the corporation counsel usually gets as many as two.

Q. Three hundred and eighty-two multiplied by three is 1146 separate commissions, in order to handle the opening of streets, is it not? A. It would if three different persons are appointed on each street. There are three hundred and eighty-two separate commissions. Then there are three times three hundred and eighty-two appointments. The statutory compensation of the

commissioners is now six dollars a day. Prior to January 1, 1898, it was ten dollars a day. It has been six dollars a day since the first day of January, 1898. The court of appeals decided last January that the fees of commissioners were regulated by the charter and not by the consolidation act. These commissioners take their testimony just as a referee does. They do not appoint their own stenographer. We have an official stenographer to the bureau. The expert testimony for the city is produced by experienced experts who are retained by the corporation counsel. There are two for real estate and two for buildings. These four persons supply pretty nearly all the expert testimony in all cases. Occasionally where machinery and matters of that description are involved, we have to select experts, specialists in the various callings that are needed. From my report 1735 meetings of commissions were held during the quarter ending March 31. Those are presumably meetings of three commissioners. The number of folios of testimony given here is 27,173 that were taken in those meetings.

Q. That would be an average of about fifteen pages of testimony at each meeting? Between fifteen and sixteen pages? A. I am not able to compute that off-hand. The average expense of one meeting of the commission would be the fees of the commissioners, $18, and whatever the expense of the bureau of street openings amounted to, and the expenses of the experts for the city. Those meetings of the commissioners are held in the offices of the bureau of street openings, 90 and 92 West Broadway.

Q. Are these commissioners generally men who are experienced in real estate matters, as you have found them? A. Well, all of them have more or less knowledge of real estate.

Q. What line of business predominates amongst the commissioners? A. Lawyers. They are supposed to know a little about everything. The values of real estate, and pretty much everything else. I can't say that it is a fact that pretty much every class of business is represented among these commissioners. Whenever a park opening involves an assessment for benefit it is uually asigned to the bureau. I show you page 156 of this report

of the corporation counsel and ask you if that shows the condemnation proceedings now pending, other than street openings? A. That I could not say, because I am not sufficiently familiar.

Q. I ask you as a member of the corporation counsel's office. Look at it and see if that is what it purports to be? A. That is what it purports to be. I recognize the document as a document of our office. And these particular proceedings I have no special knowledge of.

Mr. Moss—From this I will call the attention of the committee to several of those proceedings.

The proceeding for the Fort Washington Ridge road, establishing its boundaries, appears to have been commenced November 4, 1892.

The public park of the Eleventh ward was begun the 27th of June, 1896.

The matter of the new aqueduct at Lake Gilead, April 11, 1892.

The Lake Gleneida Cholera proceeding, November 7, 1893.

The Mount Kisco Cholera proceeding, September 13, 1895.

The amended Mount Kisco proceeding, September 13, 1895.

The Muscoot River proceeding, March 16, 1895. That is in the towns of Somers and Yorktown.

The Little Italy Park, October 22, 1894.

The Tenth Avenue Park, September 1, 1896.

Patterson village water supply proceeding, April 20, 1894.

Reservoir D, towns of Kent and Carmel, Putman county, March 11, 1896.

Riverside park extension, for dock purposes, July 7, 1894.

St. Nicholas park, 12th Ward, May 23, 1894.

Third avenue bridge over Harlem river, to acquire title to property for approaches, July 19, 1893.

South Third avenue, approach to Harlem bridge, 12th Ward, December 11, 1897.

Proceedings in town of Carmel, Putnam county, September 26, 1897.

Water supply proceeding in the towns of Southeast and Carmel in Putnam county, April 27, 1894.

Towns of Southeast and Carmel, July 21, 1896.

Twenty-third Ward park, One Hundred and Sixty-second street, June 18, 1896.

Washington bridge approaches, December 1, 1892.

There are quite a number of water supply proceedings. Here is one:

Byram pond and Bear Gutter creek proceeding, towns of Northcastle and Bedford, February 7, 1895,

Colonial park, 12th Ward, May 15, 1894.

Carmel dam, May 15, 1894.

Cortlandt reservoir, town of Cortlandt, Westchester county, September 28, 1895.

THOMAS J. BARRY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am a commissioner for a public park as I understand it, at Baxter and Worth streets. I forget the exact date I was appointed. I think it was very early in the summer; this year. I think it was Judge Gildersleeve, in the supreme court, who appointed me. I was not acquainted with Judge Gildersleeve. I never spoke to him. I do not know who did speak to him in my behalf. I don't really know how Judge Gildersleeve did come to appoint me as one of the commissioners. I was never a commissioner before. I have had some experience in public office. I was member of Assembly. I have never had any experience in real estate; only as a tenant.

Q. What particular qualifications have you for passing upon the testimony showing the value of the property to be taken for that park? A. As I say, to use common sense, when the testimony of these people comes before the board or commissioner I have acted as a juror once, supreme court, civil case. I am a liquor dealer. I have no idea how my name came before Judge Gildersleeve. My attention was called to it when it was published in the paper. I was not acqauinted with the corporation counsel. I never saw the man in my life. I do not know whether he pre-

sented my name. I was acquainted with one property owner who was interested in the property that was taken for a park. A man named Stack. I know him slightly. Not very well. I don't think Mr. Stack suggested my name. In fact, I never spoke to him. I never saw the man to speak to him until he came down to the office one day. I have been a member of the Tammany Hall general committee. I can't say whether that had anything to do with my appointment. If it had I don't know. I have attended one meeting of my commission. We were notified to attend and qualify; and we met once afterwards, and organized, and adjourned to, I think, the day after—the fifth of September, I think. There was no maps or anything ready, so we adjourned then to meet again when the maps would be in proper shape. The corporation counsel people had to make those maps I believe.

Q. Is it the corporation counsel, or board of public improvements, that is to furnish those maps? A. I always understood that they were to furnish the maps.

Q. Who? A. The corporation attorney.

Q. Who told you that? A. I understood that from Mr. Oliver, and Mr. Van Wyck, my colleagues. That was my impression.

Q. If you do not get these maps soon who are you going to go for? A. We are waiting to be notified. I ain't going to go for anybody that I know of.

Q. Are you not getting your advice from the corporation counsel? A. We have had no meeting to get any advice there. That is where I expect to get it. It is a bureau of the corporation counsel that supplies the stenographer and supplies the experts. I haven't had much experience, as I told you first. That is where I would look for advice.

Q. Do you not realize that it is your duty to be entirely independent of the city officials, in your judgment? Do you know that the city is taking the property of private individuals, and it is a question for you to determine how much they shall get? A. You are putting it in a different light, and I didn't understand what you meant.

Q. Do you not realize that the city is interested in getting your judgment down as low as it can? A. Yes, sir; that I understand.

Q. Why should you take your advice from the corporation counsel? A. I didn't understand you. I thought you meant legal advice.

Q. Why should you take legal advice from the corporation counsel? A. As I explained to you before, I have had very little experience in this line of testimony. The fact is, having had no meetings, and having had no witnesses or anybody else, and no maps to go by, or anything. We were waiting to get the maps, and bring the people before us, whoever is necessary to.

Q. Who is going to determine for you who it is that it is necessary for you to have? A. I could tell that better if we were to have a meeting. I do not know now who is necessary. I have not any idea; not yet. We haven't the maps yet. I understand the clerk or Mr. Oliver, the chairman, calls the meetings.

Q. Who is the clerk? A. I forget his name. He is appointed by the corporation counsel's office.

Q. The clerk of the commission is appointed by the corporation counsel's office? A. I believe so. That is as far as I know.

OSCAR S. BAILEY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am the proprietor of the Rockingham stables, 1721 and 1723 Broadway, and 231 Fifty-fourth street. I am a member of a street opening commission. East One Hundred and Seventy-second street. No others. I have not been a member of any commission before. I was acquainted with Judge Gildersleeve. Yer, sir.

Q. Were you appointed upon his knowledge and personal acquaintance with you? A. No, sir; about that I don't know.

Q. Have you had any experience in real estate? A. Well, I have made $200,000 in the last twenty years, rent; and I am a real estate owner and taxpayer.

Q. Have you had any experience? A. In buying and selling, no, sir.

Q. Have you had any real estate experience in real estate in the borough of the Bronx? A. No; but I know the difference between acreage and lots, when it comes to assessments and taxes. I have no idea how I came to be appointed. Not the slighest. I received my notice to come down and be sworn in as commissioner of street openings from the street opening department. I went down and was sworn it. We have had seven meetings. To-day was the first testimony for the Astor estate. There are two owners on my street, one block long. Astor owns part of the block, and Zabriskie, who lives in Iowa, is another. That is a short street. I am very sorry I am on it. I had one walk I wouldn't take for the $42, over that hill. I have seen the glories of the Bronx. Oh, certainly. I had the pleasure of the air on the 13th day of July.

WILLIAM PAKULSKI, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am on some of these street opening commissions. Two. I keep a gentleman's hair dressing saloon at 535 Broadway. I used to be acquainted with Judge Gildersleeve some years ago. He appointed me; I suppose being on Broadway for 37 years in one building, and being prominent in the business, and being a good citizen, they must have picked me out as such.

Q. You mean prominent in the hairdressing business? A. In all kinds of business.

Q. What kind of business? A. I say, in the hair dressing business.

Q. What is there about the hair dressing business which gives you particular ability to pass upon testimony concerning the values of real estate? A. You will have to judge yourself.

Q. Do you have any specialty? A. Only as a competent man.

Mr. Moss—I recognize that a barber is very often a common sense man.

The Witness—I think so.

Mr. Moss—We listen to him very often.

The Witness—Particularly in my position. In my place. I have had no experience in real estate in the Bronx.

Q. Have you had any experience in real estate any where? A. Yes, sir. I have owned a house and sold it, and bought another one, and sold it again. That house was on Seventy-eighth street, east. Some years ago. We have had two or three meetings of our commission. We have not taken any testimony yet. Because they haven't had a chance. That is what I would like to find out. I have been at two or three meetings, and we organized and viewed the property, and then adjourned, and that is all I know.

Q. Do you not know why you haven't taken testimony. A. They haven't had a meeting for it.

Q. Why not? You are a member of the commission? A. I don't go there until I am sent for. The clerk, Mr. Dunn, sends for me. He notifies us to appear for a meeting. Mr. Dunn is the clerk, I understand. I do not take my advice from the corporation counsel's office. The advice that I myself would take is from the two commissioners that are with me. Mr. Lucas Van Allen; used to be assistant district attorney; and Mr. Welde, a son of Judge Welde. I think so. I want to be a very close listener, as I don't know a great deal about it, and they are supposed to be good lawyers, and so I want to wait and see what their suggestion is, and by keeping quiet I think I can learn something.

Q. You are to determine how much the city must pay for this property, and how much the property owners shall get, are you not? A. I have not got so far, so I can't say anything about it.

PHIL HARNISCHFEGER, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am one of the commissioners for street openings. I have taken an oath to that effect. I was appointed somewhere along in March, I believe. On two cases. I couldn't tell you who appointed me. I believe it was Judge Gildersleeve. He appointed most of the commissioners that were appointed this year. I did not know Judge Gildersleeve. Never had the pleasure. I haven't the slightest idea how he came to appoint me. I do not know the corporation counsel. I do not know how my name came to be suggested. I am general manager and superintendent of the city department of the Jacob Stahl cigar factory.

Q. What particular qualifications have you for passing judgment upon the values of real estate? A. I have held property in the Bronx for about ten or eleven years, on and off, a little bit; not very much. My time is pretty well taken at the cigar factory. I didn't want this appointment at all; but it was simply given to me as a sort of honorary position, it was explained to me. Mr. Stahl himself explained it to me. I wanted to resign. He said, 'Why, pshaw, it is only an honorary position, and you had better take it, and I think you are qualified for it." I am not prominent in politics; not very much; not more than any ordinary citizen. I am a member of the Schnorer Club and general committee of Tammany Hall. I have not any idea who suggested my name; not at all. It was quite a surprise to me.

Q. Have you had any particular experience in these matters? A. I have bought and exchanged property, that is all. We have had no meetings; no more than to organize. We have not met more frequently because it was explained to me that the maps were not ready. That was explained to me by Mr. Dunn when I went down there. I believe the first meetings were called by Mr. Dunn. Who has got to call them after this, after we get to work, I couldn't tell. I have no idea. Mr. Boardman is the chairman of the commission, a real estate dealer in the Bronx, and also a friend of mine.

MICHAEL F. McGEE, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am on one of the street opening commissions. The Edgewater road. Appointed by Judge Gildersleeve, I believe. I do not know him. I don't know how he got my name. I have no idea. I am in the hotel business at Sixtieth street and Amsterdam avenue. I have never had any experience on these commissions before.

Q. What particular qualification have you for passing on the values of real estate in the Bronx? A. I have bought several houses, not in that section. We have had five meetings. We met and organized. We went up there and looked over the ground. We had a couple of meetings since, making four or five. Now we are waiting for the maps, and the experts and their testimony. This is a hotel and liquor store both.

JAMES J. DOOLING, being duly sworn, testified as follows:

Examined by Mr. Moss:

I believe I am on one of these commissions—the Craven street—appointed by Judge Gildersleeve. I do not know him at all. The way he got my name, I am blessed if I know. I am interested in politics. I am a member of the Tammany Hall general committee. My business is liquor and hotel, and restaurant, 572 and 574 Tenth avenue. I have never been on any commission before. I have had no experience in this kind of work. No, only leasehold property; that is all. I have no qualifications for passing on the value of property in the Bronx, in fact; only from what I know of leasehold property. We have convened five times. We have not taken any testimony as yet. We are waiting for maps, I suppose. We convened and organized; then visited the property.

By the Chairman:

Selected the chairman of the commission. That was one meeting. This is the fourth meeting. The third was the organization. The fourth was submitting bids.

Q. What happened on the organization? A. We convened.

Q. What took place? A. Nothing.

Q. The second meeting; you convened again and organized? A. We organized. The third we visited the property. Fourth opened for bids. The fifth, waiting for maps, I guess.

By Mr. Moss:

Q. How could you open for bids if there was no map? A. We had a map there, I believe. We looked at a map. I did.

EDWARD R. SULLIVAN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am on one of the street opening commissions. One in Broadway and one over the Harlem. I never held any before. I believe I was appointed by Judge Gildersleeve in the last batch of appointments. I have met him several times. Senator Plunkett mentioned me. I can't say I am prominent in politics. I am on the general committee of Tammany Hall. My business is undertaking.

Q. What particular qualifications have you for this qualification. A. Common sense. We have had five meetings. We have not taken any testimony as yet. The map is not ready yet.

JAMES FOLEY, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am on one of the commissions—Fifth avenue and One Hundred and Sixty-first and One Hundred and Sixty-second streets. Judge Gildersleeve appointed me. I did not know him. I don't know how he got my name. The first knowledge I had of it was when I received a notice. I am not connected with politics in a general way, as a citizen. I never had any political position in my life, in any shape or form. I belong to the general committee of the Democratic party of the city of New York. I have no idea who suggested my name to

Judge Gildersleeve. I have no acquaintance with the corporation counsel's office. I have not had any such position as this before. My business is superintending the manufacturing department of a large publishing house. Well, I can spare the time for an hour or two hours of a day at any time. My position is such that it is arranged that way.

Q. Have you any particular qualifications for this position? A. No more than I have leased houses for myself and for my own use here in the city; not in the Bronx. I have lived here all my life time and saw the city grow up. We have had two or three meetings, I think. We have not taken any testimony. I presume the case was not ready. I don't know whether it was ready or not, from the fact that there was no evidence produced. The case was not put in shape. The testimony of the property owners or of the city was not produced at any of those meetings. I am one of the commissioners, yes, sir.

Q. Whose fault is it that there is no testimony? A. The chairman of the committee sent a notice to me. He is a lawyer. When they are ready to proceed—we organized and went and visited the property.

Q. I understand; but as one of the commissioners, I ask you whose fault it is that there has been nothing done? A. I don't know whose it is. We will wait until we are called again by the city.

Q. Why should you wait for the city? They are one of the parties? A. That seems to be the legal form of doing things. That is the way I look at it, Mr. Moss.

Q. If your commissions are all moved by the city, you see that gives the city a pre-eminence in this matter, and it is unfair to the propert owners? A. I presmue they are not ready to proceed, or we would get notice. I presume that when they are ready they will file their statements and present their cases through a lawyer before the commission and then we will pass upon what is right, and just, and fair, and equitable for both parties. I am waiting to do the performance of the duties I am called on to do. I am doing the best I can. I am doing what I am called on to do by

the proper authorities. We received our first notice from Mr. Dunn.

Mr. Moss—He represents the city, but you are to hold the balance between the property owners and the city.

The Witness—That is true, at the proper time. But the city is condemning this property for the purpose of opening a street.

Q. Will you take your advice and be governed by the judgment of the corporation counsel, through Mr. Dunn? A. No, sir, I would not. I would take it from both parties that are concerned in the same position as between man and man; between the city and the property owner. I think I would be fair and equitable to both, on my conscience.

By the Chairman:

I did not know what my compensation is as commissioner until I heard the testimony here through Mr. Dunn—$6 a day. I understand that that is an entire day's work if it is necessary.

Q. How can you perform these duties, if you cannot get away from your business more than an hour at a time? A. I can get away for a day if it is necessary. I have been employed twenty or thirty years, and I have not lost much in that time.

Q. Is your business such that you can go away for a day? A Yes, sir. I am entitled to a vacation, and I can do it.

The Chairman—I asked you that because you said that you can get away an hour or two if necessary. These meetings may require you to be away for days.

The Witness—In that case I certainly would serve. I would arrange my business.

PART XI, SUPREME COURT, COUNTY COURT HOUSE,

NEW YORK, *November* 29, 1899, 10.30 o'clock a. m.

The committee met pursuant to adjournment.

Present: Mr. Fallows (chairman, pro tem.), Mr. McEwen, Mr. Costello and Mr. Hoffman.

JOHN O'CONNELL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am one of the commissioners of street openings, One Hundred and Seventy-first street. I was appointed some time in May by Judge Gildersleeve. I did not know the judge personally. I don't know how my name got before him. I was surprised at my appointment, a little. I was not looking for such an appointment. I never looked for any political job in my life. I do not look upon the commissionership of street openings as a political job. Well, I did not, no, sir. I am in the painting business at No. 138 Fourth avenue. I never served on such commission before. I was never a juror.

Q. Have you had any experience in real estate? A. Well, in a kind of a general way about it. Working among estates. Painting on estates. That is, where there were houses, of course. I have had no experience in vacant property. No experience in the Bronx, where this property is located, only to make some inquiries up there about what the valuation of property would be last June, so as to guide me in anything that would come up afterwards. My fellow commissioners are Mr. Tate and Mr. Snyder. I do not know what is Mr. Tate's business. I think Mr. Snyder is in the coffee business down in Vesey street. At least I heard him say something about the coffee business. We have had five or six meetings. The clerk of our commission called

them. Mr. Dunn, that is the assistant corporation counsel. I call him the clerk of our commission because he is named as such, and he takes care of all that part of the business. That is, notifying those people, and advertising it properly and finding out the owners. We have taken some testimony. We have taken the Astor estate testimony. We have taken testimony on four or five sessions. We have had more than four or five sessions. We had a session last Monday. We had to adjourn it on account of the lawyer not showing up. He had been notified to come there and he didn't come. The street that we are to open is from Jerome avenue to Teller avenue. I should say it was three or four blocks. The property is owned by the Astor estate, the Wolf estate and the Zabriskie estate. I am a member of the general committee of Tammany Hall. I couldn't really tell you whether my appointment came through that membership. It might have. I never seek for any position, because I wouldn't take any. I was not acquainted with any of the property owners on that street. I was not acquainted with the corporation counsel, not particularly.

Mr. Moss—I will place in evidence a letter from Mr. William J. Carroll.

The following is a copy of the letter:

NEW YORK, *September* 6, 1890.

FRANK MOSS, Esq., 93-99 Nassau street, New York city:

Dear Sir.—In answer to the questions in your letter of August 22d, I would say:

1. I am still employed by the Consolidated Ice Company.

2. I was appointed commissioner in the following street opening matters:

Monroe avenue, April 20, 1897, by Justice Smyth.

Ryer avenue, November 4, 1897, by Justice Smyth.

East One Hundred and Seventy-second street, December 31, 1897, by Justice C. A. Truax.

East One Hundred and Seventy-second street, May 8, 1899, by Justice Gildersleeve.

Canal Place, July 3, 1899, by Justice Scott.

3. I am sorry to say that I have not kept a record of the sessions, as I understood that that matter was attended to at the bureau of street openings.

4. Monroe avenue—Preliminary report filed about November, 1898. I have not heard from it since that time.

Ryer avenue—Waiting for final maps. I have not heard from this in about three months.

East One Hundred and Seventy-second street—Plimpton to Marcher avenue. Took testimony up to two months ago. Have not heard from it since. There are only two owners in this proceeding.

East One Hundred and Seventy-second street—Claremont park to Morris avenue. Commission organized. No hearings ever been held.

Canal place—Commission organized. No hearings ever been held.

5. I have never received any compensation whatever in any of these matters.

Should you desire any further information in relation to the above matters, I will be pleased to furnish you with the same, if possible.

Very respectfully,

WILLIAM J. CARROLL.

ALBERT E. HENCHEL, being duly sworn, testified as follows:

Examined by Mr. Moss:

I represented parties interested in the assessment for widening Ogden avenue. I am the attorney for Andrew H. Green and the Ogden estate in matters of street opening. There has been no final assessment made against the estate represented by me in the matter of opening Ogden avenue. There was a provisional report. I have a number of proceedings and I do not carry the figures in my mind. I could easily furnish that information from the figures in the provisional report. There has since been a

statutory hearing upon the objections. After the assessment was made I did apply to the board of public improvements to have a portion of that assessment laid upon the city, under the laws authorizing it. I did not apply under any special section, but simply referred to the power that the board of public improvements had. I suppose that power is granted in section 997 of the charter. I relied on whatever power there was. I presume that that is the section containing the grant of power to the board of public improvements to put a portion of the assessment for street opening upon the city. I do not recall the exact number of the section. There are several thousand sections in the charter. Well, I made certain suggestions to the charter commissioners.

Q. Look at section 997 of the charter there, and tell me if that is the section you relied upon? Is that it? (Handing book to witness). A. No, sir, it does not seem to be the section. There is a special section referring to the board of public improvements. I did appear before the board of public improvements in an application to have a portion of the assessment laid upon the city. I don't know that any member of the corporation counsel's office appeared against me. The matter had been considered, and it was discussed in all its phases by the members of the board, and the pros and cons brought forth in the course of the discussion; and the relief applied for was so patent and so palpable that it was granted. The corporation counsel was not present but the commissioners of estimate and assessment in that proceeding were present. At least, two of them were.

Mr. Moss—I will read the resolution and the action of the board in this case, from page 1270 of the minutes of June 14, 1899.

The matter of the petition of Albert E. Henschel, attorney for the estate of William B. Ogden, deceased, to have the city pay a part of the cost of opening and widening of Ogden avenue, from Jerome avenue to Washington bridge, was brought up for consideration, in accordance with resolution adopted May 17.

After hearing the Hon. John M. Tierney, Mr. Baldwin, representing the Kemp estate, Mr. Marshall and Mr. Klein, one of the commissioners of estimate and apportionment in this matter, in favor of having the city assume a portion of the expenses, the following resolution was adopted:

The recital is that all of these persons were in favor of the city assuming a part of the expense.

"Resolved, that so much of the resolution relating to the opening and widening of Ogden avenue, from Jerome avenue to Washington bridge, adopted by the board of street opening and improvement, on the 14th day of September, 1894, as provided 'That the entire cost and expense of such proceedings shall be assessed upon the property deemed to be benefited thereby,' is hereby amended so as to read that one-half of the entire cost and expense of such proceedings shall be assessed upon the property deemed to be benefited thereby, and one-half shall be borne and paid by the city of New York.

"Affirmative: Commissioner of water supply, commissioner of highways, commissioner of street cleaning, commissioner of sewers, commissioner of public buildings, lighting and supplies, commissioner of bridges, president of the borough of the Bronx and president of the board."

"Negative: None."

The Witness—The interests represented by me and Mr. Green were considerable. As I recall the awards made by the commissioners in their provisional report to the estate of William B. Ogden, deceased, it was about $45,000. The amount of the award to them. The amount of the assessment I do not recall. After allowing for the award of $45,000, there was not a considerable amount due from the estate upon the assessment. Well, the case is simply that out of such assessment as there was I endeavored to have the city bear a portion.

Q. No, you lose the point of my question. There was enough of assessment remaining, after being credited with $45,000, for

you to make an application of this kind? It was important enough, was it not? A. Well, I do not recall whether the assessment in that case exceeded the amount of award upon the Ogden estate or not.

Q. Well, if the assessment did not exceed the amount of the award, why were you so anxious to have a half of it set upon the city? A. Simply because the matter of assessment with reference to my application had nothing whatever to do with the amount of award. The commissioners, in their functions, are entirely separate. They are called commissioners of estimate with reference to their authority to determine awards to be given for lands taken or damages affected by reason of the taking. They are called also commissioners of assessment with reference to their authority to levy assessments upon adjacent property deemed by them to an extent to be benefited by reason of the improvements. Now, whatever the assessment was, it would have nothing to do with the award itself. It would be a separate act of the commission; and whatever the assessment was, I endeavored to have the city bear its fair proportion, under the circumstances. The street is over or is about a mile and a half in length, and for a portion of the widening this improvement required the tearing down on both sides for a considerable distance of houses already in existence.

Mr. Moss—I refer to another motion in relation to this same matter, on the same page of the minutes:

"On motion of the president of the borough of Brooklyn, the following resolution was then unanimously adopted:

"Resolved, That the president of this board be directed to call the attention of the mayor and the corporation counsel to the fact that of the assessment of $200,000 in the matter of the opening and widening of Ogden avenue, from Jerome avenue to Washington bridge, $30,000 is for interest, and that this board has reason to believe that this same condition exists in other street opening proceedings, and suggests that some means should be taken to stop it."

This resolution was unanimously adopted.

The Witness—Yes, sir. I was present.

Mr. Moss—I understand. Now, you were interested in this proceeding and anxious to get it through. What was the cause of delay that made an accumulation of $30,000 of interest?

The Witness—The proceeding was particularly involved in having a large number of separate ownerships affected by the widening of this long avenue. The avenue had been traveled for many years, and the widening of each side by ten feet, making a fifty foot street, a seventy foot street required the taking of the fronts of a great many buildings, and many questions arose as to the relative rights of these separate property owners. It was caused by the time consumed in the proceeding.

Q. And was not a great deal of time lost in waiting for the maps to be made—the maps that are made in the corporation counsel's office? A. The maps are not made in the corporation counsel's office, They are prepared by the engineering bureau or department of the board of public improvements.

Q. There are maps prepared in the office of the corporation counsel. If you do not know it, that is all right; but was there not a delay in the proceeding on account of the failure to get the maps? A. There is in all these proceedings a certain time required for the preparation of the damage maps, which is caused by the necessity for making an exact survey of each property in order that when the city takes title it may have title to a definite piece of property, properly described. The interest running against the city is at the rate of six per cent. It does not begin the minute the commission is appointed. It begins from the time the title vests. The vesting of title depends upon the resolution for the opening of the streets; whether that resolution says that title shall vest immediately or after the confirmation of the report. Now, it has been deemed wise, by experience, to let title vest immediately, because the improvements of the sewer and the regulating and grading could not ordinarily go on while the question of value was being considered by the commission, and before the confirmation of the report. So it has

been deemed well title shall vest immediately, in order that the determination of what shall be awarded and what shall be assessed may go on simultaneously with the improvement of the street itself.

Mr. Moss—It has been deemed wise and therefore it is the custom to have title vest immediately in the city, by resolution?

The Witness—Yes, sir.

Mr. Moss—So that the minute title vests in the city by the resolution interest begins to run in favor of the property owner?

The Witness—Yes, sir.

Mr. Moss—At six per cent?

The Witness—Yes, sir.

Mr. Moss—And every day's delay in that proceeding means a charge of six per cent. against the city upon the sum that shall be ultimately awarded to the property holders?

The Witness—Yes, sir. I wish to state in that connection an important element to be considered, and that is the doubt as to the exact meaning of the consolidation act, with reference to the question whether the interest that runs against the city shall form part and parcel of the assessment to be laid upon adjoining property. That question has been the cause of delaying, to some extent, the completion of all these proceedings, and the matter is now pending before the court of appeals.

Q. I will ask you, as an illustration of the matter, this question. Let us take the Elm street improvement. We all know how Elm street stands now and how it has stood for a long time. Is not that a case where, through the delays in that proceeding, interest is running against the city at six per cent? A. I believe the same question of interest is involved there, as to whether that interest shall be assessed upon the property deemed to be benefited or shall be borne by the city.

Q. Somebody has got to bear it. It may be the property holder or it may be the city; but somebody has got to bear that interest, have they not? A. Somebody has to bear it, but the reports cannot be completed until the court of appeals has decided as to who

shall bear it; and that question has been hovering over all these proceedings and has been the great cause for delay.

Mr. Moss—Many of these commissioners, or some of them, yesterday testified that the cause of the delay was the failure to get maps. That has been frequently cited or referred to as a difficulty.

The Witness—Of course we must consider that there is one department that has all the data upon which these maps are made, and that the exactitude necessary for a correct map requires time, and the making of so many maps makes a great draft upon the time of the department.

Mr. Moss—Of course it is a great work. Here is section 970, which I think is the section which you referred to as giving power to charge a portion of the assessment upon the city. (Showing the section to the witness.)

While the witness is looking at that I will offer in evidence a record furnished by the board of public improvements, showing the cases in which that power has been exercised thus far. The following is a copy of the paper:

BOARD OF PUBLIC IMPROVEMENTS.

Reduction of assessment for widening Ogden avenue, Jerome avenue to Washington bridge, borough of Bronx.

February 20, 1899, page 345 of minutes.—Letter from Attorney of Ogden estate referred to chief topographical engineer.

May 17, 1899, page 963 of minutes—Report of chief topographical engineer on above, June 14, 1899, set for hearing and commissioners of estimate and assessment to be requested to be present at said meeting.

June 14, 1899, page 1270 of minutes.—Resolution that one-half ($\frac{1}{2}$) of the cost of above proceeding be borne by the city of New York, and one-half ($\frac{1}{2}$) assessed upon the property deemed to be benefited thereby, was adopted by the board.

Reduction of assessment for widening One Hundred and Twentieth street, Morningside avenue West to Riverside drive, Manhattan.

January 18, 1899, page 88 of minutes.—Communication from trustees of Columbia college and others, requesting modification of resolution passed by the board of street openings and improvements, relating to assessment on above street, was referred to chief topographical engineer.

March 8, 1899, page 427 of minutes.—Report of engineer of sreet openings read and March 15 appointed for hearing.

March 15, 1899, page 472 of minutes.—Hearing held, action deferred for one week.

March 22, 1899, page 510 of minutes.—Laid over.

April 26, 1899, page 737 of minutes.—Laid over two weeks.

May 10, 1899, page 877 of minutes.—Resolution adopted assessing (2-3) two-thirds of the entire cost and expense upon property deemed to be benefited, and one-third (1-3) less the amount of the assessment made direct against the city property shall be borne and paid by the city of New York.

Reduction of assessment for widening Hunt's Point road, Southern boulevard to the Sound, Bronx.

November 15, 1899, page 2419 of minutes.—Petition from property owners referred to the chief topographical engineer. (No report yet.)

Reduction of assessment for widening East One Hundred and Sixty-third street, Brook avenue to Third avenue, borough of the Bronx.

May 31, 1899, page 1162 of minutes.—Communication from president of the borough of the Bronx relating to reduction of above assessment, the same not having been petitioned for by owners of property affected, referred back to local board.

July 12, 1899, page 1544 of minutes.—Petition of property owners, referred to chief topographical engineer.

September 6, 1899, page 1995 of minutes.—Petition of property owners referred to chief topographical engineer.

October 11, 1899, page 2142 of minutes.—Report of chief topographical engineer. October 25, 1899, day set for hearing.

October 25, 1899, page 2249 of minutes.—Resolution adopted that the city should bear one-half ($\frac{1}{2}$) the cost and expense. The above widening was found necessary in order to make an additional approach to the Grand Boulevard and Concourse.

Reduction of assessment for widening public place at East One Hundred and Thirty-eighth street, borough of the Bronx.

July 13, 1899, page 539 of minutes.—The commissioners of estimate and assesment contended that the deficiency of $23,486.62 should be borne by the city. Resolution adopted by board denying the above request of the commissioners.

Reduction of assessment for widening Elton avenue, One Hundred and Sixty-first street to One Hundred and Sixty-second street, Bronx.

May 31, 1899, page 1162 of minutes.—Resolution from president of the borough of Bronx requesting reduction of assessment referred back to local board.

July 12, 1899, page 1544 of minutes.—Petition of property owners referred to chief topographical engineer. (No report yet.)

Reduction of assessment for widening Mott avenue, Railroad avenue east to One Hundred and Sixty-first street, borough of Bronx.

June 21, 1899, page 1398 of minutes—Petition for reducing assessment on above, it being an approach to the Concourse, referred to the chief typographical engineer for report.

July 12, 1899, page 1565 of minutes—Petition from property owners was referred to chief topographical engineer.

July 19, 1899, page 1609 of minutes—Report of chief topographical engineer, and August 16, 1899, day set for hearing.

August 16, 1899, page 1877 of minutes—Resolution adopted by which the city is to bear one-half the cost and expense of said widening, this avenue being one of the approaches to the Grand Boulevard and Concourse.

Reduction of assessment for widening East One Hundred and Thirty-eighth street, Harlem river to Alexander avenue, Bronx.

July 31, 1898, page 633 of the minutes—This is the second time this street has been widened and the previous width of 75 feet according to the report of chief topographical engineer was sufficient for all local needs but that the said widening was for the purpose of connecting the system of streets in the Twenty-third and Twenty-fourth wards with Manhattan Island. Action deferred by board until the commissioners of estimate and assessment make their report.

Reduction of assessment for widening public place at One Hundred and Sixty-first and One Hundred and Sixty-second streets, borough of Bronx.

December 14, 1898, page 1292—Letter from president of local board referred to chief topographical engineer.

January 18, 1899, page 57—Report of chief topographical engineer referred to corporation counsel.

February 8, 1899, Page 231 of minutes—Communication from local board read and placed on file.

May 17, 1899, page 966 of minutes—Communication from president of the borough of the Bronx, relating to above. (Legislature passed a bill assessing property benefited.)

The Witness—(after looking at the section) That is not the section but there is no doubt there is the power.

Mr. Moss—I will put that section in.

The following is a copy of section 970:

"Section 970. The city of New York is authorized to acquire title for the use of the public to all or any of the lands required for streets, parks, approaches to bridges and tunnels, sites or land above or under water for bridges and tunnels, and sites or lands above or under water, for all improvements of the navigation of waters within or separating portions of the city

of New York, or of the water fronts of the city of New York, or part or parts thereof, heretofore duly laid out upon the map or plan of the city of New York, of the city of Brooklyn, or Long Island City or of any of the territory by this act consolidated with the corporation heretofore known as the mayor, aldermen and commonalty of the city of New York, or hereafter duly laid out upon the map or plan of the city of New York, as herein constituted, and to cause the same to be opened. The board of public improvements is authorized to direct the same to be done whenever and as often as it shall deem it for the public interests so to do. The lands, tenements and hereditaments that may be required for such purposes may be taken therefor, and compensation and recompense made to the parties and persons, if any such there shall be, to whom the loss and damage thereby shall be deemed to exceed the benefit and advantage thereof, for the excess of the damage over and above the value of said benefit. The city of New York is authorized to make application, or to cause application to be made, to the supreme court of this state in the first or second judicial departments, as the case may be, for the appointment of commissioners of estimate and assessment to ascertain and determine the compensation and recompense which should justly be made to the respective owners, lessees, parties and persons respectively entitled unto or interested in the lands, tenements, hereditaments and premises proposed to be taken for any of the purposes aforesaid, and to assess the cost of such improvements, of such proportion thereof as the board of public improvements directs, upon such parties and persons, lands and tenements as may be deemed to be benefited thereby. Streets or portions thereof which are continuations of each other in the same general direction may be embraced in the same proceeding. The moneys collected upon the assessment of the commissioners of estimate and assessment shall be paid into the city treasury. The damages awarded by the commissioners of estimate and assessment shall become due and payable immediately upon the confirmation of the report of said commissioners of estimate and assessment."

PATRICK KEENAN, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am chamberlain of the city. Custodian of all moneys received; treasurer of the county and of the city of New York. My salary is $12,000 a year. There are about twelve people employed in my office altogether. The actual salary roll of my office is over $30,000. I think that includes my own salary. I have our money deposited in various banks. Seventy odd banks in the city of New York and Brooklyn. My office is independent.

Q. Is there any reason why your office should not be merged in that of the comptroller's office? A. That is not for me to judge. I think there are several reasons why it should not be merged in the comptroller's office. I think in the first place—of course all moneys deposited, the chamberlain has got full charge of it. My office, the position I am in, is a kind of watch on all the other departments—on the comptroller's department, because I am the last man who signs all the warrants. I think I am a check on the comptroller, not that I have got anything to say as far as the department is concerned. The warrants that are sent in to me, I am the last man to sign them—that is used by the city departments. The mayor and comptroller, those two first sign them, and the chamberlain is the last. The mayor of the city of New York appoints me.

Q. If the mayor appoints you, in theory, how are you a check on what the mayor does? A. I am his appointee, and of course he is the mayor of New York. He is responsible to the people for his acts. So is the comptroller, and so am I; and I am under a bond of three hundred thousand dollars to protect the people of the city of New York. I don't know how I can be removed from my position, except upon charges. That is my opinion—as long as I discharge the office faithfully and honestly—the duties.

Q. Do you know of any reason why an appointee of the mayor should be put as a check upon the warrants that are signed by the mayor, and also by the comptroller? A. It has been so for many years. All my predecessors were there. I am in the same capacity.

Q. Is there any other reason why the chamberlain's office should be continued separate as it is now, in your mind? A. Those are the only reasons that I can assign.

By Mr. Hoffman:

Q. Is it not true that the office of the chamberlain is maintained in the city upon the same theory that the state comptroller's and the state treasurer's office is maintained at Albany, by the state government? A. Under the same form, yes, sir.

Q. And on the same theory? A. Yes, sir.

By Mr. Moss:

Q. But the state comptroller and the state treasurer are elected officers, are they not? A. Well, I have got nothing to do with that.

Q. But just to get it right on the record. You recognize that they are elected officers? A. Certainly.

Q. You are simply an appointee of the mayor? A. An appointee of the mayor. I don't know how I came to be appointed. I was selected. I didn't ask it. I don't know who recommended me to the mayor. I was not looking for the appointment. It came to me as a surprise when I was selected for the position. I first heard of my selection I think the night before New Year's.

Q. Who told you? A. Well, I decline to answer that question.

Q. Why? A. I don't think it is a proper question to put to me.

Q. Why? Would the answer put you in an embarrassing position? A. No, it would not put me in an embarrassing position, and it would not embarrass the gentleman who asked me to accept, either.

Mr. Moss—Then there is no reason for you to decline to state.

The Witness—Well, I can state very easily.

Mr. Moss—Answer it.

The Witness—Yes, sir.

Q. Who was it? A. Mr. Croker asked me if I would accept it. I said anything he thought proper to select for me was perfectly satisfactory.

Mr. Moss—That is all right. That is a perfectly fair, and open, and honest answer. That will do.

BIRD S. COLER, being recalled and further examined, testified as follows:

By Mr. Moss:

Q. How many employees, including laborers, are on the pay-rolls of the city of New York, whether holding city or county positions? A. I am utterly unable to give you that to-day.

Q. How long would it take? A. It would take some time. If the committee would only pay for it, I would get it up quickly. You see, you take all my men, and if I take them off the list—you have cost me thousands of dollars now in asking questions that you never used.

Mr. Moss—We have not asked questions that will not be used. We think everything you have given us is useful.

The Witness—I will try to do what is right, but it disorganizes me. We can get them up, but we cannot get them up over night. I could not tell how long it would take. It might take a week or ten days to get it up. There are so many thousand employees, and so much tabulating to get it up.

Q. Is there any record in the city of New York that you know anything about which has been figured up, tabulated, showing the number of employees? A. We have our pay-rolls of the department. I suppose that would show it.

Q. There are provisions in the charter creating boards and officers, who are supposed to figure these things up. We have been trying to get at them before we called upon you. We did not suppose you would spend your time in adding up these lists for amusement, but we want to know if you know of any place

where we can find already in existence a statement, at any time within the last year, of the number of city and county employees? A. Not, except in my department, unless you take the last pay-roll, the last month, and take one of each over the whole business. It would have to be tabulated though. That is a work that has not been done.

Q. You have not felt called upon to keep statistics of that kind, and I do not know where it could be found, do you? A. That is not my business; no.

Q. I have only asked you the question as the last resort. I thought you might know where those things could be got. Have you anything which would show the annual aggregate of the salaries taken at any time within the last year? That is included in the questions that I said I would ask? A. We could tabulate it from our books.

Q. You do not know where that information could be found now? A. No; it changes.

Q. Can you give us anything showing the proportion or the approximate proportion of salaries and city expenses? That is, taking the annual expenses of the city?, A. Oh, yes.

Q. And allowing against that the salaries? Can you give us an approximation of the percentages of salaries? A. I could do that in a day or so; yes, sir.

Q. You cannot do that now, can you? A. No.

Mr. Moss—We would like to have that.

The Witness—I would take that from the budget; any budget.

Q. Are you able to tell us what has been the increase in the number of employees, and in the annual aggregate of wages and salaries since December 31, 1897? A. That would cost you, to find that out, $50,000. I will tell you why. It has cost me to find out—in the consolidation of Greater New York there were 95 separate municipalities. I took the place of 95 separate treasurers. Their budgets were all made up in different manners, and they operated under different laws. Some were counties, some townships, some school districts, and villages. It has

taken us almost a year and a half to analyze those budgets in order to show the moneys that come to me. I have not thought it wise to ascertain the number of employees, because that amount was gone, and I could not get it back. It would take an immense tabulation to find out the number of employees that were in my office, for instance. If you take the number of employees that were operating in the different departments that I have mentioned it would take more. For instance, there were forty-one clerks in the borough of Brooklyn, in the comptroller's office. To-day, in the whole Greater New York, there are only twenty-two. It is an immense, intricate transaction, to make a comparison of that kind, owing to the immense number of townships and villages you have to go through.

Q. What should be accomplished in your department is an indication of what might be done in simplifying the official work in all departments, is it not? A. I think so.

Q. It might be done? A. Yes, sir; but in the published reports of the committee about my department you have made statements that are absolutely unfair.

Q. What is that? A. You are comparing increases. You show on your statement an increase in my department since the first of July, 1898, did you not, of some $60,000? Under the charter we did not receive taxes in the borough of Bronx or the borough of Queens or the borough of Richmond or the borough of Brooklyn, until this fall. I refused to appoint men in this office until this fall. You take those appointments as increases, and make the public think that I have increased the number of men unduly, when, if I had increased them on the first day of January, when I came into office, they would have had nothing to do for two years, and you could not have shown an increase.

Mr. Moss—There was nothing put in evidence except the statement you furnished, and at that time your office was called upon to explain it.

The Witness—No; I was not called upon.

Mr. Moss—Your office was called on at the very time that these statements were used, and if there was any explanation to be made of the figures, which showed an apparent increase, every opportunity was given at that time to each department to do it. We are glad now to have you make that statement regarding your department. Our anxiety has been to get at the actual truth. In regard to these increases, if there is a department which has been run economically, and has kept the staff down to the lowest point, we want to know that department. So I asked you a moment ago if it was not true that what has been possible in the finance department, by consolidation and reduction of the number of officers, would not appear to be general in all departments?

The Witness—I think that in many cases; yes, sir.

Mr. Moss—The same principles would obtain?

The Witness—Yes, sir.

Mr. Moss—I want to ask you about another thing, the entering of judgments against the city, either by consent of the corporation counsel, or by default, or by any arrangement through which the city is not represented. We have been endeavoring to find out from the corporation counsel's office—we also inquired at your office—the number and amount of judgments that have been entered against the city without defense. The corporation counsel informed us that he had no records in his office which would show how many and what judgments and what amounts had been so entered, and he referred us to the judgment-rolls on file in the different counties. The response we got from your office was that you had no separate record of such matters, and it would take time and cause expense to gather them, and therefore we did not put that burden upon you.

The Witness—The records are there though.

Q. How long would it take to get the facts from your office? A. I don't know how long it would take. We have records of every dollar that has been paid.

Q. But separating the judgments which were entered without defense from those which were the result of verdicts or trials—it would take some time to work that out, would it not? A. Yes, sir.

Q. There is no reason in your office why there should be such a separation made or kept? A. No; we have never done it. I think it should be made, but the thing was so fearfully disorganized, and I have been trying to get my books together.

Q. Are there not a great many such judgments? A. Yes, sir.

Q. Do they not aggregate a very large sum of money? A. Yes, sir.

Q. As the financial officer of the city, is there any reason why, in the allowing of judgments by default or consent, the city should be in a worse position than a private suitor, who has to be consulted before a judgment is allowed to be entered against him? A. Now you are getting on a ground of controversy that has gone on between the comptroller's department and the corporation counsel's department.

Mr. Moss—Let us eliminate the personal element.

The Witness—There is no personal element about it.

Mr. Moss—If there is any?

The Witness—There is absolutely none with me.

Mr. Moss—Let us consider the question of expediency.

The Witness—I have none, either in politics or business. I only want to show you the length of time this principle has been advocated by the various departments. It started probably in the time of Mr. Whitney and Mr. Greene. Mr. Whitney took that position, but after a while I believe they came together, and Mr. Whitney conferred with the comptroller before any great judgment was confessed or measure of damages or action cases, or contract cases, where the measure of damages was involved; and up to the time I came into the office, while the corporation counsel's office has always maintained its right to confess judgment against the city without the consent of the comptroller, yet they never had actually exercised that power, and the comp-

troller was consulted in the various confessions of judgment from that time down. That is, as I understand it. But during the present administration I have not been consulted.

Mr. Moss—While there has been no law on the subject up to the first of January, 1898, the custom has been for the corporation counsel to consult with the comptroller before permitting the entry of a judgment by default.

The Witness—Yes, sir.

Mr. Moss—In large amounts?

The Witness—Yes, sir, on cases making the measure of damages. On a case whether a person had been legally appointed or not, we either owe them the salary or we do not, and the comptroller is not supposed to compromise; but the proposition stands now, the city of New York has no financial officer in the settlement of the claims in the person of the comptroller. A man can come in to me and say his horse fell down in the street and make a claim for a thousand dollars, which will be absolutely refused by the comptroller as excessive. The minute he makes that claim, and files a claim and notice of suit, then, under the present opinions, and the present law as interpreted in the lower courts, he can go to the corporation counsel's office and the corporation counsel can confess any judgment and settle it entirely without the consent of the comptroller. I believe that practice is wrong.

Mr. Moss—The law requires that a person about to sue the city shall notify the comptroller, and shall notify the corporation counsel of his intent, and the purpose of that law is to give to both the corporation counsel and the comptroller the opportunity to investigate that claim and determine whether it is better and cheaper for the city to pay it or to compromise it rather than to fight it.

The Witness—Yes, sir.

Mr. Moss—From those provisions it would seem that the legislature had intended that the financial officer as well as the legal officer should have something to say about that; but as the case now stands, although the comptroller has to receive these

notices and to consider them, the corporation counsel claims the power, and sometimes exercises it, of confessing or allowing judgments without any consultation with the financial officer?

The Witness—Yes, sir. You see we have no fund. While the charter says the comptroller has power to settle and adjust all claims, I have no fund. The charter has provided no fund for me to settle a case; if a man comes to me for damages and I want to give him $25 or $50 to avoid a suit, I have got no fund except the judgment fund, and then I have got to send it to the corporation counsel, and if he gets it he has got all to say about it.

Q. Mr. Mali made a claim upon a contract for cleaning streets, or something of that kind, against the department of sewers——

The Witness—Mali?

Mr. Moss—Or was it the park department?

The Witness—The park department, I guess.

Q. (continuing)—It was a claim over there, in Brooklyn, at any rate. The claim was not conceded by the comptroller, as we understand the case. Suit was brought and a judgment was entered for a large sum of money by the default of the corporation counsel. Would that illustrate the situation? A. No, not a case of default. They very seldom default. They generally confess rather than default.

Q. But that is one of the methods by which a judgment can be allowed? The withdrawal of an answer or something of that kind? A. I think a better illustration would be the Mary Alstrom case.

The Witness—I am merely bringing this up because I think this is the most important point in the city government. You have either a comptroller or you have not. I am trying to make out you have got one, if I can. And if the law is this way, it has either got to be changed or the comptroller's office go out of the business of settling the claims. You have got to give it up.

Q. If you have any responsibility in this matter you want it defined? A. I am not looking for responsibility, personally.

Q. If you have responsibility you want to have it determined, and have the power along with the responsibility? A. That power is too much for any one man, and may be too much for any two men to exercise. It is the most vital power there is, the act of creating a debt by your own say so against the city of New York. The Alstrom case was a case where the woman fell down on the sidewalk and sued the city for $10,000 damages. The comptroller refused to settle the claims. Without any further consultation with the comptroller, without the case even going to trial, Mr. Blandy confessed judgment for $5,000. I don't think, in the history of accident cases, of a man falling down on the sidewalk, any person can get any such a sum as that. Again, in the settlement of accident cases, there is another question involved. I had some experience in that in connection with railroads before I came into office. A great many accident cases are taken on contingent fees against the city, and even if they should get a judgment on trial, the comptroller would want to appeal, and the corporation counsel refuse to appeal, and they would take judgment. They would always take twenty-five per cent. off rather than wait a year, on a contingent fee. I think there should be power in the finance board to settle those cases, as any business firm would do in consultation with its lawyer. In the case of a large sum of money I think the mayor should be consulted also—over $10,000.

Q. As I gather from your testimony, you think that the city should not be in a worse position in such matters as these than a private suitor; that the city should be consulted somewhere outside of its counsel's office, in the incurring of a liability by the confession of judgment? It may be that some cases, governed by the amount, must be left entirely to the comptroller; some might perhaps require, in addition, the consent of the mayor; perhaps some should go to the board of estimate and apportionment. You are not particular about the method? A. No. To give a simple illustration, it takes the signatures of the mayor and comptroller

and corporation counsel to buy a bottle of ink for the city of New York, through the City Record. The board of the City Record, everything we pay—it takes the mayor and comptroller and corporation counsel to buy a bottle of ink. The corporation counsel can settle a judgment for seven hundred thousand dollars, make a present of seven hundred thousand dollars to a claimant, without the consent of the comptroller, and without the consent of the mayor. I have in mind now the Aqueduct case, in which neither the comptroller's nor the mayor's consent were obtained. It has been determined by the courts that the corporation counsel has the power. Not by the higher court. It has never gone to the higher court. But so far as it has been tried. Before Judge Pryor, yes, sir. It has been determined legally that the corporation counsel has that power And exercising that power, the court does not inquire into the other quesions. I am not criticising the court at all. The court could not have done anything else. The court passed upon the law as it stands. That of course shows a condition which can be only remedied by the legislature, if that interpretation of the law is correct.

Q. What was the Bush case? A. There were two Bush cases. The Bush case was in the Westchester Water Company matter, in which the corporation counsel's office confessed, without consultation with my office, for some four thousand dollars. The records of my department showed that the city did not owe him anything. They were behind in their taxes in the tax department. If I had had the power in my hands to settle that case I could have made them at least pay their taxes. There was a counter-claim of taxes due. I had no opportunity to set up anything. I think I could have negotiated the matter, setting the taxes off against the claim. At least, we could have done that. The records show that we did not owe them anything, but we were not consulted, and the judgment was confessed. Mr. Bush was a friend of mine, and at my request he brought the suit. We were beaten before Judge Pryor. A taxpayer's suit. We have never been able to get the case up on appeal yet.

Q. Then there were a number of cases—this is in another line, but somewhat related to it—that came up in the highway department, where, upon the reports of the commissioner of accounts, objections were made to the payment of the claims of the contractors. The comptroller was not satisfied with the propriety of making some of those final payments. Some we were and some we were not. But the work having been accepted by the commissioner, there were authorities holding that he must be paid, irrespective of the opinion of the comptroller, or any other city officer. The power to accept the work, whether it was good, bad or indifferent, vested in the commissioners absolutely. That is what they held. I think it is wrong. It puts a very great power in the hands of an officer who was not elected, and therefore is not directly responsible to the people. In a great many cases a commissioner, in the purchase of small supplies—it is utterly impossible for the commissioner to know about everything, and we sometimes catch things in our department that if the commissioner had got in his own department he would have stopped, and yet his name is on it, and he would take it off if he could, but his name is on it, and they came in and take judgment on it.

Q. Do you think that the powers of the commissioners of accounts should be continued, and that they should be made a part of the financial department of the city? A. I think it is a wise thing for the mayor to have some one to make investigations on his own account. Personally, like the former Comptroller Greene, I do not believe in them. Not as they stand, no. They are not objectionable except for the duplication of work. I think the mayor should have some commissioners, but under the charter the comptroller is supposed to name the methods of bookkeeping, and we intend to do it as soon as we can get our own books in shape. We intend to go out into the other departments. I do not believe in duplicating so many departments. We can do all the work; but I think the mayor should have—I do not think it should be as large as they are now. I think if they wanted to make a check on my department, or find out anything about it, they should have that power.

Q. But so far as investigating the conduct of contracts under other departments, the examination of work that is being done and such things as that—the commissioners of accounts do a great deal of that kind of work, do they not? A. I think it is entirely out of their line of duties.

Q. Do you think that power should be continued? A. I don't think they have that power now.

Mr. Moss—It is a power that ought to be exercised by some one on behalf of the city?

The Witness—We do that. We have an engineering department. That is what I refer to as duplication. You see that makes three duplications of engineers or examiners. The highways, for instance, and through the commissioners of accounts, and through my office. There are three sets of engineers. The city has to borrow a great deal of money in the early part of each year on revenue bonds. We generally borrow very cheaply. We have borrowed since I have been in office cheaper, I think, than has any other city government. Well, we generally get it somewhat under the market rates of commercial houses, yes, sir. I have borrowed, six months ago, as low as two per cent. I borrowed, the last money I had to pay five for a few days. Then money was away up to fifteen or twenty. The banks only charged me five. We get our money very reasonable; away under the market rates. Those revenue bonds are designed to carry the city along until money comes in from the tax collector. And the persons who profit upon the interest account are of course the lenders of the money.

Q. Have you ever considered a way by which the city could avoid practically hypothecating its tax receipts, and by which the taxpayers could get the benefit of that interest? A. I don't know of any way, unless we collect the taxes, as in Brooklyn, in advance.

Q. Is it not possible to provide, or is it not advisable to consider a plan by which taxpayers may pay voluntarily from the beginning of the year?

The Witness—Anticipating them?

Mr. Moss—Anticipating their taxs, and getting the benefit of a rebate?

A. If we give them a six per cent. rebate, the city would come out worse than borrowing money at five per cent.

Mr. Moss—No, give them such a rebate as you would have to pay to the lenders.

The Witness—We borrow money at three per cent. and to a private person money is worth more than that, and they would not do it, unless you allowed them more rebate than that.

Q. Do you not know that just that sort of experiment was tried, fairly, successfully, by the previous administration, at one time when money was required? A. I would not object to it. I have no objection to it at all.

Q. If such a plan as that could be devised, it would save the city from having to go out and borrow money, and any benefit could be got for the taxpayers. Would it not also conduce to a more regular conduct of the business of the tax collector's office? Let me show you. Taxes are received, we will say, on the 1st day of October and immediately there is a great rush of taxpayers, long lines of them, and the tax office is not big enough to accommodate them. The clerical force of the tax collector's office has to be suddenly augmented, so as to make out the bills of these people. Now, if the aggregate tax payment could be spread over the year, it would be possible to handle that business with a regular force, and would not need that augmentation. There would not be that sudden influx of money, but it would be spread over the year, and it would approximate more to a banking business than it does now? A. Yes, but it would depend entirely upon the market rates of money, how they paid it in. If money would be high we would not get it.

Q. What is the objection to the city having a plan for the collection of its taxes which would give the benefit of favorable

market rates for money, when the rates are favorable for such thing? A. I have no objection to it, if you can figure one out.

Q. I do not ask you if you have any objections, but do you see anything in such a plan to commend itself? A. I think a better one might be to commence collecting a month earlier, and spread it over 12 years and get back to the old system.

Q. Get back to the old system of collecting taxes at the beginning of the year instead of the end of the year? A. I do not say I advocate that, but it would take 12 years to do it.

Q. To do it gradually, so as not to make a sudden pressure upon the people? A. Or 15 years. I do not say so, but it would be much simpler. That was the Brooklyn plan.

Q. While we have you with us, I want to ask you about the present difficulty over the wages of school teachers. It is a subject we have been asked to make some inquiries about. I would like to have you state your position on that. What is the difficulty, and what is the remedy for it? A. The difficulty and the remedy is what we are trying to find out.

Mr. Moss—I have received some heartrending letters from school teachers.

The Witness—You have not received any more than I have.

Mr. Moss—They say they are starving, some of them.

The Witness—I guess there is a great deal of trouble among them. There is no doubt about it. As far as my department is concerned, our position is simply this: I am under $200,000 bonds to pay out the city's money under the law. Yesterday I found a little case that cost me $2,500, a mistake made in the department before my time. The check was drawn in my time but the mistake was made before my time, and it will cost me $2,500, in all probability. I am only showing you the personal liability of our office, and sometimes we lose something. Under that, the only answer, where people disagree between themselves, is for me to pay out under the opinion of the corporation counsel. I have absolutely no other protection to my private fortune, and I have to pay under the opinion of the corporation counsel. I

have had an opinion of the corporation counsel. I cannot carry the whole opinion in my mind. In order to have no misunderstanding as to what his opinion was, between the board of education and myself, I sent Mr. Levy, the deputy comptroller, who is the legal expert in our office, to the comptroller's office to meet Mr. Little, and they went over the whole proposition, and the corporation counsel's opinion, and all its various technicalities, and came to an agreement which was satisfactory to me. The only instruction Mr. Levy had was to protect my personal responsibility; to do anything he could for the teachers, and give them any opportunity to make any advance; but the only instruction he had was to protect the personal liability of my office. They reached an agreement which the board of education has repudiated. If you want to go through the technicalities of the corporation counsel's opinion on that, you will have to call Mr. Levy.

Q. Now, for the sake of the record, this difficulty comes out of the increase of salaries provided for by the Ahearn bill, does it not? A. Not entirely provided by the Ahearn bill.

Q. There was a section in the charter before, section 1921, I think, which was incorporated into the Ahearn bill; but that is the main cause of the difficulty, is it not—the increase of salaries under that bill? A. I could not tell you what the main trouble of the board of education is. I don't think they know themselves.

Q. But the practical difficulty that you have had to pass on has been the situation caused by the increase of wages called for under the Ahearn bill, has it not? A. We have met every increase by money before they made the Ahearn increase.

Q. That is the main thing, is it not? A. I won't admit that. I can't tell whether it is the first increase, or the Ahearn increase.

Q. There was an increase prior to that, under the provision in the charter? A. Yes, sir; after the passage of the Ahearn bill.

Q. It was after the Ahearn bill was passed that there was another adjustment of the salaries? A. No.

Q. After the first one? A. Yes, sir.

Q. And the question with you is whether the appropriation for the board of education will admit of the payment of these salaries at the increased rate. Is not that so? A. That is all.

Q. That is the whole thing? A. Yes, sir.

Q. Were not the salaries paid at the increased rate, upon May, June, July, August and September? A. Yes, sir.

Q. Were those salaries paid under the first increase, and under the second increase as well? A. They were paid under whatever increases were made. The board of education were unable to tell from their own books entirely whether their money would run out or not. They could not tell, and I paid them. They could not tell what amount they wanted under the Ahearn law, when those salary pay-rolls were drawn. I had nothing to do but to pay them, because I had no notice that they would exceed. The minute the corporation counsel's opinion came out I was charged with notice that they had exceeded it.

Q. That explains one of the questions. It has been said that the comptroller, having paid, on the increased plan, the salaries of May, June, July, August and September, it was strange that he would stop on the salaries for October. You say the reason of that was that you received an opinion from the corporation counsel, notifying you practically or substantially that those increases were likely to cause an excess of expenditure over the appropriation? A. That they were illegal, yes, sir.

Q. Illegal for that reason? A. Yes, sir—well, I don't know. Mr. Moss, you see they don't know what amount of bonds would be taken for the Ahearn bill. The corporation counsel's opinion was that they should have complied with the Ahearn law first, instead of making the other increases first. They mixed them up.

Q. The increases under the charter had been ostensibly under their power, in their discretion. Then came the Ahearn law, which was a mandatory law, which required or compelled the

increase? A. Yes, sir; and instead of obeying that they went and ate up all the margin they had.

Q. They being under a mandate, they think they must comply with that mandate? A. Yes, sir.

Q. You, thinking that they had exceeded their appropriation, and being advised by the corporation counsel, say it cannot be done? A. I can't do it. I can issue and sell revenue bonds to comply with the Ahearn law, but not the other increases.

Q. You have a right to issue revenue bonds to comply with the increases under the Ahearn law? A. Yes, sir.

Q. But you dare not do that until you have an opinion from the corporation counsel? A. We have it.

Q. Has he given you an opinion that you can do so? A. Yes, sir, I understand that. That is not under discussion. The amount of money under discussion is the balance they had that they did not use up for the Ahearn increase.

Q. Are you disposed to exercise the power to issue revenue bonds, which you say Mr. Whalen has advised you you can do at the right time? A. When we find out what the amount is, oh, yes.

Q. You proposed a plan, as I understand it, for the present relief of the school teachers? A. Yes, sir. We have proposed, or I have proposed, to pay out to the teachers all the money I could legally, and then we will leave them the right to sue for any claim they have. I do not ask them to waive any rights. I proposed to pay out every dollar I could to them, without assuming any personal liability, and on a certain basis. The idea of a deduction or refund—that is not a proper idea. We merely want to spread it over two months instead of stopping it all off. If I paid it off in a lump in December, they would not get anything. The idea of a refund was to spread the money over the two months, to help them out the best way we could. That was limited by the amount we have got. Of course the corporation counsel held it was illegal, and we had to take that into consideration. They were not to refund back any money they received, but they would not get as much for the next two months. I can't

imagine what caused the failure of that plan. I believe that the board of education refused to accept Mr. Little's agreement with me, but they gained nothing by it, because the teachers would have to sue, anyhow. I was merely giving them all the money I had, legally, and they had just as much right then as they have now, and they won't do anything.

Q. Is it your opinion that the best way to adjust this matter is to have a school teacher's suit brought? A. No, I believe the city wants to do what is right.

Q. What can the city do? Why cannot the city cut this knot and settle this matter without requiring the school teachers, who have to work very hard, and who get very little, to bring suit? A. We cannot settle it except according to law.

Q. Is there not some action that some official of the government can take that would save the teachers the necessity of going into court? A. It would have to be done by an outsider on their behalf. I have made the offer to the board of education that I would defray personally a part of the expenses if they would come up and save the teachers paying anything. I do not think they should pay anything; but some of the members, I understand, have been counsel for them.

Q. Has the mayor of the city consulted with you, or shown any interest in this matter, so far as you know? A. The mayor—you had better call the mayor. I don't want to speak for the mayor.

Q. No, but has he consulted with you, or done anything that you know of to bring about an adjustment of these matters? A. I won't speak for the mayor.

Q. Do you know of anything that he has done, or have you heard of anything? A. The mayor wants to do the fair—the mayor, as I understand it——

Q. Not what does he want, but has he taken any step? You, as the financial officer, would know, I should think. Do you know of any steps the mayor has taken to bring about an adjustment of this very important and painful matter? A. I don't know what steps he could take.

Q. He could have a conference of the commissioners, who are his own creatures, with the corporation counsel, who is also his creature and his adviser, and with the comptroller, and endeavor to secure some union of action, could he not? A. Well, I am not going to speak for the mayor.

Q. Are you aware of any movement of that kind? I do not ask you to speak for him, or for anybody? A. No, I know nothing——

Q. Of course you know—— A. I don't know of any necessity for it. I had an agreement with the president of the board of education.

Q. That has been prevented by the inharmonious action of the board of education? A. Yes, sir.

Mr. Moss—Now, if these teachers should each bring actions and should succeed, it would probably mean that the city would have to pay fifteen or twenty dollars additional costs in each of those actions, would it not?

The Witness—They did in one case in Brooklyn. Not in a teacher's case, but the police commissioner's—in which Burr was counsel; Philip A. Burr.

Q. Were not the salaries of the Brooklyn teachers delayed for a period of three months, independent of this general trouble now? A. That is where you—some people say the teachers do not get paid from July to September. In Brooklyn they are paid in tenths, so for two months they are not paid anything.

Q. Mr. Whalen rendered an opinion which affected your action with relation to those salaries, did he not? A. Yes, sir.

Q. What was the general purport of that opinion? A. Oh, it was about some back pay. That has all been settled now and out of the way. I would not like to carry so much in my head.

Q. Did he not change his opinion? A. I think I got an opinion that I could pay the salaries.

Q. You got a subsequent opinion that you could pay the salaries? A. Yes, sir.

Q. You had one opinion that you could not, and then after a while an opinion that you could? Was not that after the teachers had subscribed $18,000 to get counsel to represent them and test the question? A. I don't know what they subscribed.

Q. They subscribed a sum of money, according to general report, did they not? A. I did not want them to do anything. I think they would have come out without any counsel. I advised them not to have any counsel, but they did.

Q. But they did get counsel and raise the money? A. Yes, sir.

Q. Some money? A. Yes, sir; the counsel was a member of the board of education.

Q. The common report was that the fund raised was $18,000, was it not? A. I don't know anything about that. There was no necessity for it at all.

Q. Did they not institute a proceeding? A. Yes, sir. They filed separate suits by each one of them; a big bunch of them.

Q. Were costs paid in those suits? A. I don't think so.

Q. What has become of them, if you know? A. They were paid. The salaries were paid.

Q. Have the suits been discontinued? A. Yes, sir.

Q. Were judgments entered in any of them? A. I don't know. I don't think so. No judgments were rendered.

Q. What was it that caused the change of the corporation counsel's opinion, if you know? A. You will have to ask him.

Q. This is one of the advertisements of the proposed sale of $10,025,000 of the city's bonds in July? Is this one of them? A. Yes, sir.

Q. And this is the list of bids which was received from your office? A. Yes, sir.

By Mr. Hoffman:

Q. While we are waiting for Mr. Moss I will ask a question. What have you to say about the continuation of the office of city chamberlain, as it is now carried on? A. The chamberlain's office has custody of the court funds. It succeeds practically

the city treasurer of Brooklyn and various other treasurers. But the amount involved is only $34,000, and the importance of the office is so much beyond that, in just one way, for instance—the moneys, for instance, in the sale of bonds that we are talking about now; the money is paid to him. I sell the securities; the money is paid to him. There are millions and millions of dollars paid him, and I think that it is only proper that the mayor should appoint the chamberlain, so that there should be a check on the immense amount of receipts and disbursements—a check against me. Suppose I put a man in there, or any comptroller did, to receive millions of dollars in cash. That mere check alone is worth the $30,000.

Q. Does not the city receive the fees now which formerly went to the chamberlain? A. The chamberlain receives no fees.

Q. The city receives in fees about $20,000, and it costs $12,000 or $15,000 to maintain the office? A. Something of that kind. I think there should be a personal check on the comptroller for these immense receipts.

Mr. Moss—This advertisement calls for bids for the whole or any part of the securities that were to be offered. There were three bids for the whole amount. The Produce Exchange Trust Company, entire amount at 104 94-100; Harvey Fiske & Son at 104 79-100, and Vermilye & Company at 105 3-100. Those were the three bidders for the whole amount.

The Witness—Not in my time.

Mr. Moss—Oh, yes. This is what you submitted. (Handing paper to witness.)

The Witness—Oh, this is back on the first. Is that the first?

Mr. Moss—July, 1899.

The Witness—There is some mistake here.

Mr. Moss—There were two conditional bids there. There is no mistake. I have compared the figures.

The Witness—It is July, 1898, the conditional bid was in. We have had no conditional bids since July, 1898.

Mr. Moss—Then that was July, 1898, and this proposal is of another sale?

The Witness—Yes, sir.

Q. But the proposals were in the same form, were they not? A. Yes, sir; practically. No, I don't know as they were.

Q. You called for bids for the entire amount, or for any part? That is the form you have used. I do not know how that got in here? A. No, this is not the same form. We put in afterwards, in this form: "proposals containing conditions other than those herein set forth, will not be received or considered." That was not in.

Q. That was not in the advertisement for the bids of 1898? A. No, sir.

Q. That was put into this proposal for 1899, on account of the circumstances that arose on the original bond sale? A. Yes, sir.

Q. So we have it now that in the original bond sale purchasers were permitted to offer to take the entire amount or portions thereof, and that this particular clause in italics was not in that advertisement? A. Yes, sir.

Mr. Moss—Here were the three bids for the entire amount by those three bidders, Vermilye & Company offering the largest, 105 3-100; the Produce Exchange offering 104 94-100, and Harvey Fiske & Company offering the lowest, 104 79-100. The entire amount was awarded to the Produce Exchange Trust Company, which was the second bidder, and not the first.

The Witness—Harvey Fiske & Company, and Vermilye & Company had added this clause to their bids, "Bid made subject to the approval of the legality of the issues by our counsel."

Q. Was that condition the reason why their bids were rejected? A. Yes, sir.

Q. So that the difference between Vermilye & Company's bid and the Produce Exchange Trust Company's bid amounted, as I figure it, to about $10,000? A. Yes, sir.

Q. I have figured up thirty-one smaller bids in this list, at prices higher than the Produce Exchange Trust Company bid—thirty-one of those smaller bids were higher than the bid at which you sold, unconditional bids, and they covered $8,385,000 worth of the issue. Then there were other amounts lower than the Produce Exchange Trust Company's bid which would have covered the entire bond issue. Now, the question has been asked—— A. (Interrupting) In the aggregate the average would not have been as high.

Q. (Continued) The question has been asked why these thirty-one bidders of smaller amounts bidding a larger sum than the Produce Exchange Trust Company bid, did not receive bonds under their bids? A. They started to sue on that and were thrown out, I think.

Q. I understand that. I know it has been decided by the courts that you have that power, and you have exercised it—not only you but your predecessors. It is not anything that is new to your administration, therefore we are perfectly easy in talking about it. Now, why did you throw out these thirty-one bids for smaller amounts, which would have aggregated $8,385,000, and would have produced a larger percentage of premiums to the city? A. I advertised $10,000,000 of bonds for sale. I would sell them at over par and interest. Now, if I had accepted all of the smaller bids, I either had to throw out a part of the sale and have a new sale, and have broken faith with every financier in the United States, or I had to sell the bonds. The financial public won't let you play fast and loose with them.

Q. No, of course not. But this is not a question of playing fast and loose. It is a question of keeping faith, it seems to me, with bidders who are invited to bid for the whole amount or any portion thereof; and here are thirty-one bidders, who aggregate nearly eight millions and a half of dollars, that bid a larger figure than the persons who received them? A. Yes, sir.

Q. What was the reason for not letting them have them? A. Because the lump bid was higher than the average of all the other small bids.

Mr. Moss—Let us see if that is so.

The Witness—If that is not so you can have my office.

Mr. Moss—Oh, we do not want that.

The Witness—No, but Mr Moss, you are not fair. You are trying to put me before the public in a light that is not fair. As long as you are gentlemanly and decent with me, I will be with you. You are trying to infer that there was fraud.

Mr. Moss—I am inferring nothing. I am asking you to make your statements, and I have not said "fraud." I have said you have been doing exactly what your predecessors have been doing, therefore we could talk freely about this matter.

The Witness——Go ahead and we will talk freely.

Q. Is there anything that has been suggested in the question that was not fair? A. You all the time put inferences in a man's mouth. You do not ask questions. You are making speeches to me.

Mr. Moss—I think I am asking questions.

The Witness—Ask me why. I will tell you why; but if you make a speech to the court——

Mr. Moss—No, there is no speech about it.

The Witness—If you ask me why, I will answer.

Mr. Moss—It is as much your duty not to misrepresent me as it is mine not to misrepresent you.

The Witness—Just ask questions and I will answer them.

Mr. Moss—I am treating you as a gentleman, and I insist on your treating me as one.

The Witness—I will try to. Just ask questions and I will answer them.

Q. That is what we are doing. Now upon this copy of your statement there is a figuring of the premiums bid by those thirty-one smaller bidders. I will just hand that to you. If those figures are correct, and I believe them to be correct, the premiums bid by those thirty-one smaller bidders on the $8,385,000 subscribed for by them would be $363,330, if I am correct? A. Yes, sir.

Q. I hand that to you so that you can examine it as you please. Now, the premium on the same amount, at the successful bid of 104.94, would amount to $414,219? A. I suppose the figures are correct.

Mr. Moss—That would mean that upon that particular sum of $8,385,000 that amount was actually sold at a premium of $222,114 less than was bid for it by the small bidders. Of course the successful bidder, if that was true, would then be in a position to immediately sell back to the smaller bidders eight million and odd dollars of the bonds at those figures and secure that profit of $222,114 to itself. Now, the premium on the whole issue—here is the important point—of $12,668,992.84, at the successful bid of 104.94, was only $625,848.24. The premium on the entire amount was only $625,000. The premium bid by these smaller bidders on eight million dollars was $636,330; so that the successful bid gave the city $10,484.76 less than the premiums that were bid by those smaller bidders for eight millions of dollars.

The Witness—I don't believe that.

Mr. Moss—I will ask you to go over the figures. I hand you that so that you may do so. I wont say that if my figures are wrong, you may have my position, because I do not believe anybody wants it.

The Witness—If we advertised bonds for sale we sell them all if we have bids. It is immaterial to me whether it was or not. I won't say whether it was or not.

Mr. Moss—If those figures are correct the city got $10,484.76 less premium on the sale of $12,000,000 than was bid on $8,000,000. So that if the difference between $8,000,000 and $12,000,000 had been sold at par the city could then have had a profit.

The Witness—That is not so. I can't comprehend that.

Q. I am going to ask you to look at that pretty carefully. Even if the remaining four millions of dollars had been disposed of at par the city would have had $10,484.76 more by permitting $8,000,000 to be taken by the small bidders, but it is not likely that it would have gone at par? A. There you are out of your

head. It is not possible. If that is a fact that those premiums amount to more on that amount of bonds, if the aggregate of small premiums amount to more on that amount of bonds than the syndicate premiums, I ought to be removed from office.

Mr. Moss—I do not say that.

The Witness—I will admit that.

Mr. Moss—I expected to have you answer this way——

The Witness—I am a scoundrel if that is the case.

Mr. Moss—No, I am not saying that. I am not saying that at all. I am saying that you have followed a custom that has prevailed in the comptroller's office for many years, by which persons bidding for the whole amount are preferred to those who bid for a proportion.

The Witness— No, they are not. If the proportionate amount of bids amounts to more money in the aggregate, the premiums amount to more money in the aggregate, it has been the universal custom of the comptroller's office, both of my predecessors and myself, to award the bonds to the outside bidders, if their premium aggregates more than the syndicate's. That is the universal custom. I do not believe you will find a variation from it. If you have made this mistake you should certainly set it right.

Mr. Moss—If I have I shall.

The Witness—If you ask any such questions, if you are wrong, you should correct it.

Mr. Moss—I shall shirk a responsibility of that kind. I will treat you as I would want to be treated. When I suggested to you——

The Witness—There were not $10,000,000 of bonds bid for outside.

Mr. Moss—I am just about to suggest to you what may account for the whole thing. When you answered that the smaller bidders, (as I understood your answer) would have made up the total amount, I think we were led somewhat by the advertisement that we were looking at, which contains the sum of $10,000,000.

The Witness—There wasn't $10,000,000 of outside bids there.

Mr. Moss—We were looking at that circular which said

$10,000,000, but on referring to your memorandum, from which I have been examining you I find that the bond issue was twelve millions and some hundreds of thousands of dollars. So that, outside of the total bids there was not a sufficient number of small bids to make up the whole twelve millions of dollars. Now, is that the reason why you did not accept these smaller bids?

The Witness—Yes, sir.

Mr. Moss—That is the reason? You had forgotten that?

The Witness—Yes, sir. We advertised to sell bonds at over par and interest. If we get bids over par and interest, we have got to take it or else break faith with the financial world.

Mr. Moss—But you have also led persons to bid for smaller amounts?

The Witness—Yes, sir. We sent out thousands of circulars.

Mr. Moss—Now, if you secure so substantial a sum as eight and a half millions of dollars of smaller bids, giving a premium upon the small amount, which is larger than the premium which is bidden for the entire amount, how would you break faith with the financial public in giving the eight millions and a half to those who had been the highest bidders for it, and re-selling the four millions of dollars?

The Witness—Four firms bid for all or none. We have to sell them if we got par for all. But the whole principle of selling fifteen millions of dollars of bonds at one time is wrong—or twelve millions.

Q. That is an important thing. Do you say it is the principle of selling twelve millions of dollars of bonds which prevented you from getting this profit or interest that you otherwise would have got? A. Yes, sir; it is wrong to sell so many bonds at once.

Mr. Moss—I think you understand me perhaps a little better than when we started out. It is this system which I am talking about, and not you.

The Witness—Yes, sir. Well, it is wrong.

Mr. Moss—It has in this case resulted in an apparent profit to the Produce Exchange Trust company of $950,000 or thereabouts.

The Witness—Yes, sir; but the last bond sale, the secretary of the treasury made a present to the fellows who bought the bonds. If I had known what they were going to do I would have postponed the sale.

Mr. Moss—That is another question. You put the blame of it upon the system

The Witness—Yes, sir.

Mr. Moss—Which sells so many bonds at once.

The Witness—Yes, sir.

Mr. Moss—On account of that system, and because of your feeling, that morally you were bound to accept the bid for the entire amount?

The Witness—No; it is not alone the prices we get.

Mr. Moss—The city loses some hundreds of thousands of dollars.

The Witness—You can't tell what the city is losing.

Mr. Moss—There are the figures.

The Witness—Wait. I am running the financial departments of the city. I have to look at the city's interests from every side. There were contracts that had been held up for months; payments that had interest back on them. Mandamuses were liable to be issued by the court, and we just had to pay our debts. If we got par for the bonds, we had to pay our debts. Whenever I have been able to sell a small amount of bonds I have always got better prices. When I sold one million dollars of bonds I could get 112, which was the highest price. But the irregular way in which I have been authorized to sell bonds by the municipal assembly, where back interest is running against the city, whole lumps will come out all at once. Our creditors have got to be taken care of, and to keep faith with them. I have no right to manipulate the bond market against the rights of the creditors of the city of New York. They are entitled to their money when it is due. On your line of argu-

ment I should have manipulated the bond market as against the creditors.

Mr. Moss—I do not ask that.

The Witness—We have to sell the bonds at a certain time.

Mr. Moss—The only question I ask is whether it is not practicable and honorable to sell the eight million dollars worth of bonds to those who had come in fairly under the terms of your advertisement?

The Witness—No.

Mr. Moss—And then re-sell the four millions of dollars.

The Witness—No, sir; it would not have been.

Mr. Moss—It would have resulted in an advantage to the city of over $900,000.

The Witness—We would probably have had all four of the houses that did bid all or none never buy another bond of the city of New York.

Mr. Moss—People do not refuse to buy bonds for pique or spite.

The Witness—They did it for two years. Vermilye did not do it for two years. They are just coming in now. It took them two years to come back after they were thrown out.

Q. What was the reason that Vermilye & Company attached that condition to their bid? A. That was over the debt limit proposition.

Q. Had you had some consultations with them upon that subject? A. I asked every firm that I could find to bid on the bonds.

Q. Did you see them and talk about it? A. Yes, sir; I offered to pay a part of the expenses, privately, to have a lawyer look into it beforehand, so that they would not put in the condition. You see, a condition like that—if you don't mind my telling you; supposing a shyster—Mr. Miller, for instance—should bid for New York city bonds; put in a condition "subject to the opinion" of his counsel, and he put in a high bid, and if the

market was not right, and his counsel said no, he would not take any chances. He would just refuse the bonds.

Q. Did you not know who their counsel were? A. I asked them to have their counsel look into it and offered them the books beforehand.

Q. Had you not met their counsel? A. Yes, sir.

Q. They were eminent counsel? A. Yes, sir.

Q. They were not shysters, were they? A. No; but what I mean is, anybody else would do that. If that precedent was once established there would be no good of advertising New York city bonds on that principle. You would have so many bids in there, and then they would throw them out if they wanted to.

Q. Had you obtained an opinion in favor of that bond issue—an unofficial opinion—from judges of the appellate division? A. No, sir.

Q. Had you their opinion in any way? A. No, sir. I might have talked informally with one or two of them, but not in the way of an opinion. I differed with the corporation counsel on the debt limit proposition, if you remember.

Q. You did, then, have some expression of views from some of the judges, did you not? A. I had a talk incidentally with one or two of them, but I had with lawyers outside. I differed with them, and I was going to beat them if I knew how, and I did.

Q. Did you in your conversation with Vermilye & Company, or their representatives or counsel, raise any question about the debt limit? A. I tried to knock it down. I didn't want to raise any. I wanted to stop any question.

Q. You argued against the objection, did you? A. The bonds were good, yes, sir. Not alone that, but Mr. Stillwell of the City bank—I went to every firm in the street to get them to bid on the bonds. Every house on the street was treated in the same way.

Q. And you have said all you want to about this bond sale? A. Yes, sir.

Q. It is perfectly clear between you and me now, I think? A. I think so; but I think the way you went at it was very unfair.

Mr. Moss—No, I do not think so. I think you simply misunderstood my purpose.

The Witness—I think so.

Mr. Moss—And the misunderstanding arose out of your answer to my question, which was whether the small bids equalled the amount of commissions. There is where the misunderstanding arose. But I understand you to be clear in your statement that you consider it to be a bad practice to sell such a large amount of bonds at once.

The Witness—Yes, sir.

Mr. Moss—That it results in such a situation as we had here in this bond sale? It prevents the city from getting all the premium that it ought to get?

The Witness—Yes, sir. I won't do it unless I am absolutely driven by the creditors to do it. A whole lot of bonds coming out at once from the municipal assembly—they get a fit and pass a lot of them at once, and the creditors come on me for the money, and I have got to sell or be mandamused, and if I am mandamused it is paid out of the court fund.

Mr. Moss—I will offer this paper from which I have been examining Mr. Coler:

(The following is a copy:)

Bidder.	Amount.	Bid.
Schermerhorn Bank, Brooklyn.....	$100,000	103
Whann & Schlessinger	1,000,000	109
Ladenberg, Thalman & Co.....	500,000	104.896
Ladenberg, Thalman & Co.....	500,000	106.02
Ladenberg, Thalman & Co.....	500,000	106.92
Ladenberg, Thalman & Co.....	235,000	107.03
Produce Exchange Trust Co.....	Entire amount	104.94
Harvey Fiske & Son, bid made subject to the approval of the legality of the issues by our counsel.....	Entire amount	104.79

Bidder.	Amount.	Bid.
Vermilye & Co., bid made subject to approval of the legality of the issues by our counsel	Entire amount	105.03
Peoples Trust Co	$1,000,000	101
Zimmerman & Forshay	500,000	107.30
Zimmerman & Forshay	500,000	107.56
Importers & Traders National Bank	500,000	106
Kitchen & Co	5,000	106.97
Kitchen & Co	5,000	106.93
Kitchen & Co	5,000	106.89
Kitchen & Co	5,000	106.22
C. E. Lambert	100,000	100
Hamilton Trust Co	200,000	105.75
Sternberg & Co	5,000	103.40
Florence G. Joseph	5,000	102.50
Farmers' Loan & Trust Co	1,000,000	107.78
Farmers' Loan & Trust Co	1,000,000	107.987
Farmers' Loan & Trust Co	1,000,000	108.194
Merchants' National Bank	250,000	106.35
Merchants' National Bank	250,000	106.60
Headquarters Fire Department	100,000	106
Estate of Ogden Goelet	25,000	108.80
Estate of Ogden Goelet	25,000	107.85
Estate of Ogden Goelet	25,000	106.26
Estate of Ogden Goelet	25,000	105.85
L. A. Laurencelle	5,000	103.50
Brooklyn Trust Co	300,000	107.201 109.851
L. Napoleon Levy	25,000	102
Newburgh Savings Bank	50,000	105.75
Newburgh Savings Bank	50,000	106.12
Newburgh Savings Bank	50,000	106.50
Henry Clews & Co	5,000	101
Henry Clews & Co	100,000	100
Port Chester Savings Bank	10,000	107.07
Port Chester Savings Bank	10,000	106.05

Bidder.	Amount	Bid.
Port Chester Savings Bank	$10,000	105.82
Thomas H. Ham	4,000	103
Queens County Bank	100,000	102
Spring National Bank	100,000	105.50
Nassau Trust Co	200,000	102.34
Manufacturers Trust Co	150,000	107.78
Harry L. Parker	1,000	100.1–8
Johanna W. Binsse	5,000	102
Manufacturers National Bank	200,000	103.50
Daniel Eichner	25,000	101.1–16
Hoggatt & Caruthers	500	103.7–8
Haebler & Co	300,000	100

"Sale of N. Y. corporate stock, August 8, 1898.—Total stock advertised for sale, $12,688,992.36. See City Record, 1898, p. 3291. Bids invited for the whole or a part, and nothing against conditional bid."

Mr. Moss—I have caused to be furnished to me by the comptroller a list of all the bids for the above sale, and have offered the list in evidence just as furnished.

It will be observed that there are three bids for the whole issue, viz., Vermilye & Co., at $105.03, contingent on approval of counsel; Blake Bros. and Harvey Fisk & Son together, contingent on approval of counsel, $104.79, and Produce Exchange Trust Co., at $104.94.

The last bid was accepted.

All the bids except the above three for the whole were for parcels or parts, running from as small as $300 upwards, and they were all rejected, though reference to the advertisement for bids will show that they were distinctly invited.

Of these bids for parts or parcels it will be seen that there are 31 at a higher premium than the said bid for the whole which was accepted. That bid for the whole was $104.94. These 31 bids for parts range from $105.50 to $109.

The aggregate of stock at par bid for by these 31 small bids was $8,385,000. The total of the said bids for this aggregate was $9,021,333.

This shows a premium on said $8,385,000 of stock by said small bidders of $636,333.

The premium on the same aggregate of corporate stock by the successful bid, viz., at only $104.94, amounts to only $414,219.

So that this aggregate of $8,385,000 of city stock was sold at a premium of $222,114, less than was bid for it by the small bidders.

So that the successful bidder was immediately able to hand over to these small bidders the stock they bid for, aggregating the said $8,385,000, at a profit of the said $222,114.

But the foregoing is not all, nor the most remarkable.

The said small bids for the said $8,385,000 as shown above were at a premium of $636,333.

The premium on the whole issue of $12,688,992.84 at the successful bid of $104.94 was only $626,836.23, or $9,496.77 less.

So that the city got $9,496.77 less premium on the sale of all the $12,688,992.84 of corporate stock at par than was bid on $8,385,000 of it.

So that, again, if the said $8,385,000 of corporate stock had been awarded to these small bidders at the said premium of $636,333, and the remaining $4,303,992.84 had even been disposed of at par, the city would have got $9,496.77 more than it did by awarding the whole issue to the said bid of $104.94.

But of course the said remaining $4,303,992.84 would not have gone at par, but if put up would have brought an average premium of about eight per cent. like the said $8,385,000, or a total premium of $344,319.42, which added to the said premium of $636,333 would make a total premium on the whole issue of $980,000.

Premiums which might have been obtained by recognizing the 31 small bidders and re-advertising the balance	$980,000
Premium which was secured on the sale	414,219
	$565,781

It seems reasonably certain that by recognizing the small bidders the city would have received $500,000 more than it did, and that profit went to the purchaser, the Produce Exchange Trust Company.

There were 20 small bidders who offered lower premiums than the Produce Exchange Trust Company, and their bids aggregated $2,480,000 principal and $55,437.18 premium. If these bids had been accepted after the 31, and the premium added to that of the 31, there would have been $64,933.95 more premium than was taken from the successful bidder for the whole issue, with only $1,823,992.84 of the stock to be readvertised, and that would have sold at a good premium.

The small bidders were only $1,823,992.84 short of the whole issue, and it is entirely probable that the bids made for the entire amount were syndicated bids, covering many smaller bidders.

CYRILLE CARREAU, being duly sworn, testified as follows:

Examined by Mr. Moss:

My business is real estate. I have been in business in the city of New York about 26 years. I have been associated with persons that have interested themselves in the financial operations of the city. Considerably. And in consultation with my associates I have prepared this statement which I hand you. That has been prepared a great many years ago, for the former city of New York, and the figures mentioned therein apply to the former city of New York. But the same principles would apply to the larger city; the same idea. I suggest very strongly that the city should begin the receipt of taxes at the beginning of the year. That it should permit the owners of real estate to anticipate their taxes. Pay them whenever they can; whenever they have the money and the time at their convenience.

Q. Then the taxpayers might receive the benefit in rebates that now goes in interest? A. Such interest as the city can afford to pay; about the same interest that the city has to pay in selling the current bonds for the year.

Mr. Moss—Let the city pay interest in some form or other to the taxpayer?

The Witness—Yes, sir; it would make the financial department of the city more like a bank. It would give it that regularity, that business tone, that such a department should have. For instance, under the old city we collected about thirty-six millions of dollars a year, under the old conditions. That would be about a hundred thousand dollars a day, which could be done by a smaller number of clerks, well selected clerks, and be more convenient to all the owners of property in the city, who would call at the tax office at any time and pay their taxes on one or more houses, as they had the money. I think it would be possible to combine the financial offices of the city, as they are not now combined. I think that the tax department, the water department, and the department of arrears should be merged together. The books might be separate, kept separate, should be, probably, but in one office, so that when a property owner wishes to pay his taxes, or his water rates, or assessments the one place or one office would be the place to go to instead of as now using the tax office for a few months when it is very crowded. After that it is almost vacant. And the same rule applies to the water department office; for a short time that office is very crowded, and the balance of the year there are very few people there. If these payments were spread through the year instead of forcing them to the limit of two or three months, there would be very much convenience, and it would be very much safer. I speak of that giving to the finance department a business tone. I mean this. I mean now the comptroller, from the beginning of the year, tries to hypothecate the yearly income by selling short bonds. He is in the position of a borrower. During that time and at about the same ratio, the owners have accumulated about the same amount of money, which is lying idle waiting for the taxes to be collectible. When the taxes are paid, then the comptroller has to redeem these obligations; and the amounts are very large, and it makes the office, as a business in-

stitution, somewhat irregular. Sometimes there are very large amounts, and sometimes it is reduced very low. It is not regular. Then there are times when very great sums of money have to be had by the city employees. And if there were danger of defalcation, the danger would be very great at those times. We have been fortunate in having honest men there, but the danger is present, the danger is great. There would not be the same great danger if those payments were spread over through the year.

Q. Are there banks in the city of New York that handle the same amount of money, with a smaller force than we now employ by our present methods, ninety millions of dollars a year, about? A. I should think that such banks as the Chemical bank and other large banks handle even more money.

Q. But by spreading it over the year and having a trained force that is always employed there, able to do it? A. They are able to do it.

Q. One question about the sinking fund. You have addressed us on that subject. You raise a question about the necessity of keeping so large a sinking fund as we now have, do you? A. Yes, sir. The statement of our good comptroller is to the effect that we have now in the old city of New York over eighty-five millions of dollars in the sinking fund, and that the other sinking funds in Brooklyn and part of Queens county and Richmond—that it foots up to over one hundred millions of dollars. Now, that sinking fund, as I understand it, has to be taken care of; a regular system of bookkeeping has to be kept up on the same principle as when I pay off a note or a bond and mortgage, I place it one side and still operate upon it as an investment. If those bonds are negotiable the amount of this old city is over eighty-five millions of dollars. It don't seem to me that the property owners should have eighty-five millions of dollars in safes, either in the chamberlain's office, or in the comptroller's office or in the sinking fund office. I don't think it is safe. I think it

is very costly, and if there is any necessity whatever for the sinking fund, we do not need so large a one. I take it that the old system under which we are now working was a very good one, when New York city depended upon the country districts for the influx money in the fall; but New York city to-day is no longer dependent upon that; so that at any time the city of New York would need money its new bonds would sell just as well as the old bonds. And besides that, it makes it possible for any administration to use that sinking fund, if they wish, in any year, to make the taxes a little higher or a little lower. I believe that there is some power vested in there, whereby they shall use a part of that money for the yearly budget. So, take it all in all, it seems to me that if we need a sinking fund for any reason that I don't know, it should be small. It should be in proportion to our debt. Our debt was about $128,000,000 or $129,000,000, and our sinking fund was $85,000,000. We never needed, and do not need, that proportion. When, in calculating the city debt, we always have to deduct that very large amount of sinking fund, it is getting larger and larger all the time. As I understand it, the bookkeeping is kept up upon those bonds as though they belonged to strangers, belonged to others. They belong to ourselves. We own the city, and they are our own bonds, and these officers are our own officers, and still this bookkeeping goes on.

Q. Practically it amounts to a man having notes and then, having paid them, he takes them back into his own possession, and keeps them as a sinking fund? A. Yes, sir.

Q. Relying upon his power to sell them at any time he may need money? A. Yes, sir. As to the taxes, it is just the same as a man depositing with the receiving teller of a bank for nine months, and going around to the discount clerk and discounting his note for nine months to get along with, and then on the ninth month he brings them together. He has paid the interest on his note and he gets no interest at the other department—for the owners get no interest upon their money which they keep for taxes. It is an accumulation in the twelve months to have it in

October. We have to begin to save sometimes in January and February and March of the other months. A man who owns twelve houses on the average could pay the taxes of one house each month. We would have that much separate.

Mr. Moss—I will place this statement of Mr Carreau's on the record now.

The following is a copy:

NEW YORK, *August* 8, 1899.

Hon. FRANK MOSS, 306 East One Hundred and Twentieth street, City:

Honorable Sir—In the matter of the large sinking fund held by the sinking fund commissioners of the city of New York, which now assumes the immense proportion of over one hundred millions of dollars, in which is included the little over eighty-five millions of dollars of the former old city of New York

The taxpayers of New York city, reading over the several statements and communications of our comptroller, would for their instruction and consideration, like to inquire in the following facts, namely:

What status do the bonds of the city of New York have in the possession of the honorable sinking fund commissioners, like or different from other bonds of the city of New York, in hands or ownership of private individuals? Are they in whole or in part cancelled or marked as belonging to the city of New York, or are they negotiable same as other bonds held by corporations or individuals?

What necessity is there at the present time for so large a sinking fund so held by said commissioners?

What office or service to our finances of the city government does so large a sinking fund perform?

What expenses are incurred yearly to manage the sinking fund separate and apart from the general duties of the sinking fund commissioners?

The information you may obtain upon the above will greatly interest the taxpayers.

PROPOSED CHANGES IN PRESENT SYSTEM OF CONFIRMATION AND COLLECTION OF TAXES.

Among the many reforms and changes needed in and for the city and county of New York, I would suggest the following to the consideration of the Legislature and people, viz:

The present system of the finance department makes it necessary for the city to borrow very large amounts of money on bonds from the first part to the month of October of each current year, at such rates of interest as the money market rules.

The minds of legislators have been mostly engaged in considering new works and projects of different kinds for the city of New York, but the questions of economy and close management of the city affairs seem to have received less notice.

The several departments of the city simply attend to matters within their scope which are increasing in number and expenses. Among the many necessities to carry on the immense government machinery is the most important one of borrowing the amount provided by the budget for each current year which its present way compels the city to borrow funds on its bonds from the first of January through and by a regular system of issuing bonds for that purpose and paying interest thereon at regular rates of interest. Thus, for the first nine months of the year, the city has hypothecated its yearly taxes expected to be collected during the last quarter of the current year.

On or about the first day of October the yearly real estate taxes are collectible, and from such taxes the city repays these obligations, or bonds, as they become due, with interest.

When taxes are receivable taxpayers are permitted to pay in rotation, when for many days a long line of anxious persons may be noticed in and outside of the tax office, which is insufficient to accommodate all those willing to pay to avail themselves of the tempting rebate the city allows. For the purpose of meeting the demand an extra number of clerks to furnish bills are procured. The picture of taxpayers who seem to have long been willing to be relieved of their yearly contribution for the maintenance of the city government and the incompetent, uninviting, insufficient,

painful, troublesome and objectionable ways the city presents in receiving same, shows that this department has not kept pace with advanced and advancing ideas of the age, to the loss and other disadvantages of all those who contribute to the city government.

Such of the taxpayers as are enabled to pay within a certain limit of time are allowed a rebate which is deducted from the face of the tax bill.

The city being able to give a rebate for a short period shows that the present system of bookkeeping would require but little if any change to extend it to a larger rebate for a longer period of time, say from the first day of the year to present date of penalty as now is the practice, or to the first day of the following year as herein suggested.

The present system is objectionable inasmuch as it places the city at a certain time of the year in the position of a large borrower at ruling rates of interest.

During the first nine months the taxpayers have been accumulating about the same amount of money that the city has borrowed, therefore there is so much interest lost to them and the costs and charges and extra expenses of forcing these financial affairs within certain dates instead of allowing taxpayers to furnish the city their money at their own convenience as each individual may for himself find it convenient to call and pay. It should be considered that for so much of the money used during the first nine months the city now handles the money four times, first by borrowing, then paying it out for its needs, then collecting same from taxpayers, then paying its bonds, whereas the new system would simplify it to receiving taxes from taxpayers and then paying same out for its needs through the year.

That the time between the dates when taxes are first collectible and the time when the first one per cent. penalty is charged is too short and insufficient for the taxpayers to properly attend to the payment of such taxes in larger numbers than the capacity of the tax collector's office can well receive, and wait upon, with entire satisfaction to both the officers of the tax office and the taxpayers.

A comparison may be drawn from the imagination that the city owns all the property and the individual welfare of each taxpayer, would it borrow for nine months and only collect for three months, is there any individual who finds it to his advantage to adopt same plan in his individual affairs. Whatever merits the plan may have had in former years it has certainly ceased to be well adapted to New York. Owners whom on the average have as much money to pay the city during one month as another with perhaps the exceptions of the months of January and and July, which may average a little more.

That following the payments of these large amounts of taxes the city is placed in the unsafe and losing position of having a large amount of unemployed money to redeem, these obligations of and for the current year.

The city has been very fortunate in having so many millions in the present dangerous system without large defalcations in the financial department, but that is due solely to the good character of our tax collectors and comptrollers and their immediate assistants, for the danger has existed to an unnecessary and alarming extent. It is well to fairly apprehend that these departments might in turn be in charge of men who may fall to temptation and as to such possible event the collection of so many millions within so short a time, which are used to pay off and cancel short obligations of the city, behooves the taxpayers to remove the possibilities of such a large defalcation.

Much time, talent and integrity are required to safely borrow, collect and repay in the way it is now done. Much danger attends the handling of so many millions as it is now done. Much is lost in interest, in time, inconvenience, and uncertainty.

It should also be admitted that the convenience and pleasure of taxpayers should be considered. That a taxpayer could pay his taxes at any time during the year would effect saving of time as well as expenses. The adoption of this system would greatly reduce unpaid taxes, water rents, and assessments of different kinds which are sent to the department of arrears for collection. The question of an uptown tax office having re-

ceived some attention by many very worthy citizens mostly on the ground of inconvenience of the present facilities, the new system would remove nearly all the obligations uptown owners have in paying the taxes at the down town office, for the tax office would then present all the facilities the city can confer.

I would suggest that the taxpayers be permitted to pay their taxes or an amount about equal thereto, at any time during the current year, and for those who pay during the month of January or any month during the current year, before the first day of November, that such owner for such prepayment shall receive a rebate as is now done for the shorter period allowed to pay such taxes. To the end and purpose that any owner may pay an amount deemed sufficient for the current year's taxes on or after the first day of January or and for such current year, and that said owner shall receive on or after the first day of November a rebate for overpayment and interest which the city is to allow, according to about the interest the city would have to pay if it borrowed the money on its bonds as is now done, or at a fixed rate of six per cent. per annum from time of such payment to the first day of November of such year. That the taxes remaining unpaid will be collectible during the months of December and November without any extra charge. That the first penalty or interest charge will be on the first day of January of the year following.

As the new plan would give the city enough funds to pay current expenses, and as it seems desirable to keep each year separate by itself, beginning with the budget and concluding either with a surplus or deficiency then in the interest of simplification it might be best to charge no penalty for nonpayment of taxes till the first day of January of following year, then of a sufficient percentage to give taxpayers sufficient interest to encourage payment within the year.

This change would give the city about all the money it needs during the year for current expenses, thereby saving the interest the city has to pay on borrowed money. It would attract to the collector's office all the idle money derived from real estate and

other sources, from a large portion of taxpayers who have no legitimate use for the tax reserve fund created during the year from the months of January to November.

As to the ability of taxpayers to pay in January or subsequent months during the year it should be borne in mind that there is a monthly average of resources from which taxes are paid which would regularly find its way into the tax office.

To the finance department it would give it that business tone and regularity that other financial institutions have.

With these changes the tax collector could secure competent assistants whose work would be permanent and who could become familiar in the highest degree with all the books within the office, thereby preventing errors and annoyances both to the tax office and taxpayers.

It would save the city and taxpayers about $1,000,000 per year; between the interest the city has to pay in borrowing the money and the interest the taxpayers lose on their idle money, which is kept till the taxes are collectible, and other losses resulting from the present system. Assuming for argument that the city collects and pays out $90,000,000 per year it is only equal to a little over $300,000 per day to receive and pay out, which under and by some business rules can be accomplished by a small number of clerks by rejoining all the departments which come under the head of the finance department as now divided between the comptroller's and chamberlain's offices, the tax office, water rates collection department, and the department of arrears and assessments. All of these several departments joined together in one large office under simplified rules would only form an ordinary bank as to the matters of receipts and payments; would require a large office for the maps and books, but much less than is now used and required by the present system of divided and subdivided departments, which should be all merged in one bureau, denominated and known as the finance department, which in its scope should attend to all the collections and payments of money for and on account of the city and county.

The charges which the city imposes on real estate are the first liens upon real estate, and therefore are safer than even mortgages and other matters of corporations or insurances. The city collects and pays out a little over $300,000 per day. A large proportion of the receipts and payments are in a very large sum, and all of its receipts and payments are of such nature that the space required for office room, clerk hire, stationery and other expenses for so paying or receiving such moneys should bear some proportion or comparison to and be consistent with like amounts and transactions of and for other corporations and individuals.

To make the matter plain the city through and by a system of divided departments such as the comptroller's office, department of arrears and assessments, tax office, water rates collection department, chamberlain's office, etc., etc., collects and pays out so much money per day. Now the question presents itself, how much office room is used for these several scattered departments, how much stationery is used and how many clerks and officials are required, and what are the salaries in total? In repetition, what does it cost the city to maintain these several departmens—what percentage to the dollar does it cost the city to handle this money and keep the books, and what comparison does it bear to other corporation matters, etc., in total? Why not have the offices where these receipts and payments are made under one roof and one set of offices. Before concluding I would add that, though the several officers to the several departments of this branch of the city government are filled with good and able officers, yet this great metropolis needs greater interest from its citizens to study out some plan of utility and harmony of its several parts as they affect each other for good or evil and for economy in each for best attainable results. Where no one expects perfection, yet for much less than New York city now pays it would be reasonable to expect a much smaller number of well selected officers and clerks than we now have to manage the departments of our city finances, with less room and expenses. The office of economy, retrench-

ment; simplification of rules and methods, knowledge and interest of costs and valuations of this branch of the public service is and must continue to be that of the taxpayers, who do and will continue to be that of employers to employees, and from the nature of these relations the public service in this or any branch will sympathize with the expectations of and from the taxpayers. I therefore beg your support in these suggestions. I would ask that this matter may be made the subject of examination for and during the seasons of paying the water rents and taxes that gentlemen of this committee may from this time examine into the several matters herein mentioned, and if after careful examination they can recommend parts or all of the several suggestions herein made, I feel confident that taxpayers would favor the changes asked for and that the recommendations would be respected by our city officers in authority, and your labors will effect considerable saving of money to the taxpayers.

Very sincerely yours,

CYRILLE CARREAU,

Office: Grand street and Bowery, Oriental Bank building. Residence, 654 Madison avenue.

JAMES J. O'HARE, being duly sworn, testified as follows:

Examined by Mr. Moss:

I was counsel for John C. Ellis. Not upon the indictment, though. I never represented Mr. Ellis until some time last summer. I never represented upon any case which went as far as an indictment. I presume he employed me to prevent getting as far as that. There were two cases in the special sessions. There was one in relation to some premises in Thirty-eighth street, and the other in relation to some premises in Sixty-fourth street. I represent him on both of them. I caused the removal of both of those cases from special sessions. A motion was made in the general sessions with relation to the last one to return the case to special sessions. That was the charge against Mr. Ellis for

keeping an opium joint in Sixty-fourth street. That was some five or six weeks after the transfer had been made. That motion came up before Judge McMahon. When the motion was first made there were statements—they were informal affidavits. There was not any venue; and there was a great deal of irregularity about it and they stated the facts. The judge, in consideration of the application, at that time said it was almost incredible, and the affidavits were of no value. These affidavits were produced by the district attorney upon the motion to return the case to the court of special sessions. The purpose of the affidavits was that certain officers, one in Cincinnati and the other in Chicago, had gone to the places mentioned in the affidavits, and that no such persons had ever been heard of there. They were in their nature so broad and so general that no reliance could be placed upon them. I had removed the cases to the general sessions for the purpose of issuing a commission, undoubtedly.

Q. This Ellis was a man who had testified before this committee, had he not? A. I didn't know that, of my own personal knowledge. He spoke to me before he testified I think the last time, and I saw something in the papers about it. I believe the special sessions has no power to issue a commission whatever; but there was a broader purpose behind it than that. It was to get the benefit of a jury trial.

Q. And the purpose was, on the other hand, to prevent him from getting a jury trial? A. Well, I had a conference with the gentlemen in relation to the prosecution of the case, and my relations with them have always been friendly and always will be. This motion came up before Judge McMahon. He said that the affidavits that were originally presented were not sufficient to warrant his considering the question of removing the case back to the special sessions, and the district attorney made some arrangement through the chief of police, as I understand it, to send some officers on there to personally make the investigation. Those affidavits came back, and they were presented last month to Judge McMahon, and the matter is still pending for me to file affidavits in rebuttal by next month.

Mr. Moss—That is one of the matters about which the subpoena was issued to Mr. Gardiner.

The Witness—The matter has been entirely misrepresented in the newspapers. There never was any ascerbity.

Mr. Moss—No asperity?

The Witness—Either word is good.

Mr. Moss—I know the temptation is to use the most polite language.

The Witness—It was in a very genial way, but it has been exaggerated and distorted.

Mr. Moss—These are the papers that the district attorney refused to produce here or to be asked about. In this case of John Hennessey, charged with robbery in the first degree——

The Witness—Let me see it. I don't remember it. (After reading) Oh, yes.

Q. (continued). Were you asked by the court to represent the defendant in that case? A. No, sir. I was asked by the defendant himself. I can explain the whole matter. There is no reason why I should not. I was counsel for a man named Dudley Smith, who was charged with the crime of murder. When his case was dismissed by the jury he happened to have a note in his pocket addressed to me from John Hennessey, of whom I had never heard. That contained a request to call upon him in the Tombs. It also stated the nature of the charge against him. I thought it best to inform myself of the particulars, and went to the office of the clerk of the court of general sessions for the purpose of examining the indictment and the complaint and the nature of the testimony by which it would be likely to be supported, so I could advise properly with the defendant. He stated that he wanted to employ me. Well, without going further into matters that are strictly confidential than is absolutely necessary, I want to say that he imposed upon me, and grossly imposed upon me, and when I found out the deception I wrote a letter to the district attorney stating that I had been prevailed upon to ask the favor of the district attorney and the indulgence of the court for an adjournment for one week; that as things were going, it

was better that I should put a written communication with the papers, which would relieve the district attorney and the court of any responsibility for the unavoidable delay. That letter I think you have with the papers. It is possibly there, that letter. If it is not in my handwriting it is not there. I wrote a letter to the district attorney, and it is with the district attorney, if it is not with the original. The express purpose of doing that was to relieve the court and the district attorney of the inconvenience attending the bringing back of the witnesses who might just as well have testified originally.

Q. Did you tell the court that the prisoner told you that he had given a hundred and fifty dollars to a man in the district attorney's office? A. No, he never told me that. He never told me anything to the same effect or to the same substance.

Q. Was there anything of that character? A. No; absolutely nothing of that character. He never told me anything about any money anywhere. I will tell you candidly what he said, because I am at liberty to speak about it. So far as my retainer was concerned——

Mr. Moss—There has been a published statement of the matter, and I ask you about it.

The Witness—It is entirely fair for me to state it. I would not state it except it might possibly involve somebody in the district attorney's office. He told me that a gentleman named O'Shaunessey, who kept a liquor store in Catherine street, was a friend of his, and in a day or two he would subscribe the means necessary to employ counsel for the defense. That is all he ever told me. I certainly would not have mentioned that except that indirectly there might be an imputation on somebody in the district attorney's office. That is what he told me. I don't know any of the gentlemen, but it is a matter capable of corroboration. He is a liquor dealer at Catherine street and somewhere else, and there never was anything said about a hundred and fifty dollars being paid in the district attorney's office, to me, by any one.

By Mr. Hoffman:

Q. Did your firm defend a man, a colored man, charged with murder, who was tried some three or four days or a week preceding the election before Mr. Justice Fursman, in the supreme court? A. Yes, sir, there was a man named Dudley Smith. His case went over from the Friday before election until the day after election.

Q. When was the trial of that case begun? A. I think it lasted two or three days, but I am not sure.

Q. Was the case continued over from any Friday? A. From Friday until the day after election.

Q. Was the case summed up on the Friday preceding its submission to the jury? A. If I may state, I have seen a statement made that Mr. McIntyre represented the defendant.

Mr. Moss—No, that has not been so stated.

The Witness—It was in the paper.

Mr. Moss—Not here.

The Witness—I believe all the witnesses for the prosecution were called in that case. The first two were witnesses somewhat hostile to the defendant. The third and fourth were disinterested witnesses. The testimony of the first two witnesses had already shown that the prisoner in that case was driven to the wall, and there were very good reason to believe that the deceased and his two companions, witnesses who survived and testified, were engaged in an unwarrantable assault upon the defendant. The disinterested witnesses showed the fact that he had been placed in a position where it was necessary to send out and call for the police; and while he was away the shots which resulted in the death of Lyden, the deceased in the case, occurred. All the circumstances in the case established clearly that it was a clean case of self-defense. All evidence was adduced, and upon the evidence of the prosecution, which was singularly strong, it was absolutely necessary on the part of the court to advise an acquittal. And as to the reasons for the adjournment, I can tell you candidly. Mr. Justice Fursman lives in Troy. We sat all of Thurs-

day and all of Friday. I think Wednesday was taken up in getting a jury. Election day was approaching. He goes back to Troy on Friday afternoon and generally returns on Sunday night, and as election day was at hand and the Democratic vote turned out to be scarce in Troy, he did not want to come down on Monday morning only to return Monday night, and he asked the indulgence of the counsel on both sides and apologized to the jury, saying that the circumstances justified his claiming their indulgence to that extent; and the case was adjourned without any opposition from any source, either the jurors or counsel, until the following Wednesday.

By Mr. Moss:

Q. That was after the case was practically closed? A. No, it was before the case was practically closed. But many statements had been made by witnesses upon the prosecution, which I believe detectives were required to confirm and corroborate.

Q. The question Mr. Hoffman asked, was what act transpired on the Wednesday he returned? A. The district attorney had completed his investigation. I think two witnesses in addition were put upon the stand, whose testimony confirmed what had already been brought out by at least two of the witnesses, and then the judge asked the district attorney whether or not the other witnesses would strengthen the case for the prosecution, and the district attorney made his statement, I think, in court, with the suggestion I have made, that they would only confirm the story of self-defense, and the justice advised an acquittal. The record is clear and voluminous.

Q. The justice advised the acquittal upon the testimony of the prosecution? A. Yes, sir.

Q. And upon the statement of the prosecuting officer that any further testimony would be of the same character? A. No, that there were two witnesses whose testimony would be cumulative upon that head.

Q. Then there was no summing up and no charge? A. No, except one that I had to make upon a motion to advise an acquittal.

Q. That was a motion to the court? A. Yes, sir.

Q. But there was no ordinary summing up or charging, but a direction by the court? A. To acquit, upon the motion of the counsel for the defense, yes, sir.

By Mr. Hoffman:

Q. You are sure there was no summing up by the district attorney or yourself? It was stated here that there was summing up of counsel on the Friday preceding the adjournment. A. No, there were witnesses examined after that. May I ask the indulgence of the counsel to the committee, to relieve the district attorney's office of an imputation of wrong-doing which falls on my shoulders, if there be any?

Mr. Moss—Yes.

The Witness—That is the case of Edward Finnegan. Edward Finnegan was charged with two larcenies committed four or five years ago. You remember that?

Mr. Moss—I do not remember it, except as a case that was brought up.

The Witness—He jumped his bail and went to Ohio, and while in Ohio he was arrested for a crime said to have been committed there, and suffered an imprisonment of between three and four years. He was a boy whom I had known and he had lived within a block of me, and whom I had known under very favorable circumstances, and I was very sorry to hear that he had fallen into a life of crime. While he was away all of his family but one sister had died. His physical system was entirely broken down by the rigorous punishment in the Columbus prison. One of the punishments he told about was being immersed in ice water in the middle of winter. He was crippled with rheumatism and a total physical wreck when he came back. He was brought back at the instance of the police authorities here. There were two indictments pending against him. My interest in the matter was not a pecuniary one, it was a matter of friendship. You know the neighborhood as well as I do.

By Mr. Moss:

Q. Where is that? A. Thirty-seventh street and Second avenue. This boy had lived in 36th street all his life. His sister is a very reputable woman. Her husband is a respectable mechanic. They asked me to use my endeavors to do what I could. I had been connected with the district attorney's office for four years, and I had some knowledge of the routine. I thought he had suffered enough, as a young man, and that an investigation of the case might disclose some ground to give him an opportunity to lead a better life. On one of the complaints a gentleman named Fox, the proof was not sufficient to warrant a conviction. On the other the complainant failed to identify, and then on compulsion had identified him. The point was should he under those circumstances be subject to another term of imprisonment or be given a chance to do what was right. My personal intercession was used with the district attorney and the judges in that case, and it was considered after a long conference with the judge, in which I gave some assurances personally for the better behavior of the defendant, and the district attorney in the case acting upon the suggestion of the court, that it would be a proper case in which to hold the matter in terror over the boy if he should again return to a life of crime, but to give him a chance—I can tell you candidly that an investigation satisfies me that he has done pretty nearly what is right since. If there be any odium in the case, it is mine and not that of Colonel Townsend who made the recommendation after a very full examination of all the facts, and of Justice Blanchard, who was then on the bench, out of the kindness of his heart. I believe it was justified by the future conduct of the defendant.

CHARLES F. BATES, being recalled and further examined, testified as follows:

Examined by Mr. Moss:

I was the complainant in the case of the People against Hyde. That was a charge of perjury. I had sued Mr. Hyde for the

care of several horses. Mr. Hyde answered, saying that he had given and presented the horse to a member of my family and then he retracted it afterwards. And that he had cared for and kept the horse as the property of this member of my family until subsequently the said plaintiff informed the defendant that the said member of his family could not ride the said pony for the reason that it was a vicious animal and requested the said Hyde to take back the pony. I remember the case, the whole thing was tried twice before two justices. I won both times. I brought my proceedings against him in the police court before Judge Mott. First against him for perjury. The claim being that when he testified that the person who had this horse was a member of my family, he testified falsely. Yes, sir; perjured himself. Judge Mott held him. Then it was tried before another judge, and his name I can't remember—Judge Brann, I think. That was the second time. He held him. I don't know enough about law to tell you exactly how that was. He was put under bail the first time, I know, and my counsel is over there. Probably he can enlighten you better than I can. I don't know enough about law to really tell you. I know it was tried twice and I won both times before the judges. The judge held the defendant Hyde for the grand jury. Mr. Hyde is assistant secretary of the National horse show. When this matter came up before the grand jury, or was about to come up, I did find that Mr. Hyde had some friends in the jury. So I have been informed, yes, sir. I was informed by the counsel, his bondsman's father was one of the grand jury; and I didn't want to go ahead with it. I did not want to go before that grand jury. I wanted it turned over for a month, and they would not do it. I don't really know what my counsel did do.

Mr. Moss—Your counsel sent a letter to the foreman of the grand jury, which I find among the papers:

New York, *October* 25, 1899.

James H. Dunham, Esq., Foreman Grand Jury:

Dear Sir—I take the liberty of communicating with you in relation to the case of People ex rel. Charles F. Bates against James T. Hyde, which I am informed is to be presented to the grand jury to-day, and through an oversight of mine I forgot to notify Mr. Bates, my client. By reason of the persistent rumors emanating, I have heard, from defendant, foreshadowing a favorable result to him by the body over which you preside, to which however, I do not give the slightest credence, but in view of the defendant's expressions, and the fact that the father of his bondsman is a member of your body and also one member of the firm which has business connections with an association with which the defendant is connected, I deem it my duty to my client to apply to you that the case itself be not considered at all by the present grand jury, but be left for the consideration of the succeeding one in November. I trust you will pardon my incroaching on your consideration, but in view of the above facts, and also of the great amount of labor I have had in the prosecution of this matter against the defendant Hyde, the long examination before the police magistrate, his decision on the subject and my duty to my client, I have deemed it proper that this application should be made to you.

Yours very respectfully,
DAVID M. NEWBERGER,
Attorney for Charles F. Bates, Complainant.

The Witness—They called me in first and Hyde afterwards. That is unusual I am told. As a result they did not find an indictment against him. They turned him loose. Which was rather a suprising and uncomfortable thing, after having got two decisions before that. I had beaten him twice, yes, sir. I do not account for that. I could not say. That is one of the puzzles. I don't know. I was up against it. That is all.

Mr. Moss—Fortune comes your way so often that you could take a little misfortune in a philosophical way?

The Witness—Try to.

Q. Did you ever see the letter that Hough and Jacoby, Mr. Hyde's counsel, wrote to the district-attorney about this matter? A. I heard somebody said that they had written, but I don't know. I only know from the drift of conversation that was brought back to me, of what Hyde said. I mean, all I heard was what Hyde had said. He made a number of remarks.

Q. This is the letter. (Showing a letter to witness.) Did you see the district-attorney afterwards? A. I saw him, but I could not say whether it was after the case or before. He said he would re-submit it. I saw him in order to get a re-submission of the case. I would not swear. I am under the impression it was afterwards. I tell you, I went into court and it was all over so quick, whether it was before or after I don't know. He promised to get me a re-submission of the case. It has not been re-submitted. Not as yet. I could not say why not. When I saw the district-attorney to get this re-submission my counsel, Mr. Newberger, was with me. No one else.

Q. Did you have any talk with Mr. Fromme about it? A. Well, I couldn't say. The night before the trial I talked to several people. I talked with Mr. Fromme about the case, but not about any re-submission. The night before I met him up on the Boulevard, where I live.

Q. Did Mr. Fromme see the district-attorney about it? A. That I couldn't say. I would not be surprised if he did. I don't know. I could not say. I am very sure he was not present with the district-attorney when I saw him. There was myself and my counsel. There were people walking about. He might have been there, but I didn't notice him. If he had been I should have noticed him, I think. This conversation with the district-attorney took place in the district-attorney's office.

Q. Can you recall anybody else who was present besides yourself and Mr. Newberger? A. I think there was just several people that looked as if they had business about the place, don't you know—as I remember. I didn't really look about. I was not in there three minutes altogether. He said he would re-submit, and we went right out. My counsel introduced me to him as I re-

member. Then he had the talk. He merely told him the same as that letter stated, about the jury, there being several on it that he thought were opposed to us; and he said he would re-submit it the next month, and that was all. I thanked him and walked out. That was all. At that time there was nothing said about the coming election. Not that I remember. I didn't say ten words to him myself. I don't know whether my counsel said anything.

Q. Was there not something said by you or your counsel or Mr. Gardiner about the coming election? A. That I can't remember. I couldn't say. I am quite certain that I said nothing about it. It was right near election time, I know. It was two or three days before election. I don't know whether anything was said about the coming election. It was right near the time, and we kept putting it off, just the same as now, until near the end of the month, and then, I think, election came right near the end of the month, did it not?

Mr. Moss—It came right at the beginning of the month.

The Witness—Well, this was right at the end of the month. They said they would try it the next month. There was nothing said about what I was going to do in the election matter. Not a word, no, sir. I couldn't do anything about election. I don't know what I can do except to vote. I have a few friends, I suppose. I have a few friends in the neighborhood where I live.

Q. Friends that follow your advice a good deal? A. No, I don't know about that.

Q. There are a great many men who know you up there and think a great deal of you and what you say; men that are connected with horses and cabs and cars and such things as that. They know you and think a great deal of you, do they not? A. Not that I know of.

Mr. Moss—You are a little modest about it.

The Witness—It is hard to say. There wasn't anything said about the interest I was going to take in the election. No, sir, I never take much interest in any election.

Q. About what you would do? A. I don't know anything I could do. I always voted the Democratic ticket, that is all. I say the subject of election was not in any way mentioned. Not that I remember, in any way, shape or form. I don't remember its being mentioned at all.

Mr. Moss—I will have that letter marked for identification.

(The letter is marked "For identification, Exhibit 1-A, November 29, 1899.")

The Witness—I look upon this as a mere case of perjury, I won it twice before two good judges. And in which the indictment failed under the circumstances mentioned, and in which I had a promise of re-submission which has not been fulfilled. I didn't say ten words to Mr. Gardiner. He said he would re-submit it the next month. That was all the conversation. I don't think I was in his office two minutes. He seemed to be very busy.

DAVID M. NEWBERGER, being recalled and further examined, testified as follows:

Examined by Mr. Moss:

I went to Mr. Gardiner's and I stated to Mr. Gardiner that my client, Mr. Bates, had thought that the dismissal of this indictment was a matter of injustice, and told him that I had written a letter to the foreman of the grand jury, and, in fact, challenging the right or propriety of this grand jury to sit upon a case in which the father of the defendant's bondsman was a member of that grand jury, and as I had been informed by rumor, that they were doing business with an association with which the defendant was connected. I told him that I had informed my client—not upon all the subjects, but I told him or intimated to him what was the fact, that my client felt aggrieved at the dismissal, because it was a case of clear perjury, which had been passed upon by two justices; and I told him that I would bring my client to him, and Mr. Bates thought it ought to be resub-

mitted. I did bring by client to him and introduced Mr. Bates and told Mr. Gardiner this was Mr. Bates, and Mr. Bates felt very much aggrieved at the dismissal of the case. Mr. Gardiner said to me—which was all I said at the time; Mr. Gardiner then said to me at the second conversation, in Mr. Bates' presence, "I will resubmit this case next month." In justice to Mr. Gardiner it is my duty to you and to him to state that I have called upon Mr. Gardiner since that time and he told me that he had been busy upon various matters, and the matter had slipped his memory. I then told him I would prepare the formal affidavit and order for submission, which I handed him a few days ago. He said the matter would receive attention, and if I would write him a letter calling his attention to that fact, and making a formal demand for the resubmission of the case, he would give the matter his attention at the earliest possible moment. I never saw this letter written by Hough & Jacoby to the district attorney. It is the first time I have seen it. I should say it was rather an indelicate method. I want to say to you, as far as this letter is concerned, that the majority, the major portion of this letter, is not only untrue, but it explains the position of counsel when Mr. Hyde was first arrested, in the gentleman going before Judge Brown and stating that out of a matter of delicacy they advised their client to swear to that state of facts. I took them up upon that issue, and when the gentleman was finally arrested I asked them to recall their admission and they said they had remembered they had made a mistake. So that their endeavors to exculpate themselves as well as Mr. Hyde—the statements in that letter are untrue.

Q. After having shown you the letter and recalled this matter to you as well as I might, and remembering that Mr. Bates claimed not to have heard all of the conversation, was the subject of the coming election in any way referred to in the conversation between you, Mr. Bates and the district attorney? A. There might have been some suggestion on the part of Mr. Gardiner to me as to "How do you think the election is going?" But referring to a direct interest in the election, I don't think

that took place. I am positive, so far as my memory serves me now, there was none.

Q. Was there any suggestion with reference to Mr. Bates' attitude in the election? A. I don't want to comment upon it, but I think it would be useless.

Q. Never mind the comment or useless part of it; but was there? A. No, sir; I am positive, as near as my memory recalls, and if it had taken place I think I would have recalled it. I was not there for that purpose.

Q. Did you have any conversation with Mr. Fromme?

Mr. Moss—With reference to this case of Bates?

The Witness—About its resubmission, do you mean?

Mr. Moss—About it in any shape?

A. Everybody in New York seemed to have known about it.

Q. Did you have any conversation with Mr. Fromme? A. I may have had a conversation with Fromme about it. I think I met Mr. Fromme one day and we were talking over various matters and he said to me, "I think the Hyde case has been submitted." It was after the dismissal. I told him, "Yes; I think it is rather peculiar." It is strange that a case should be dismissed by the grand jury upon which the father of the defendant's bondsman was a member." Fromme said, "Is that the reason why it was dismissed?" I said, "That is what I believe." Mr. Fromme did not assist me in getting before the district attorney in a favorable way. You know me long enough to know that I don't need any assistance. No, Fromme did not help me. I know Colonel Gardiner. I went to the district attorney's office and have been there several times myself, and have seen Fromme in and about there on the floor. I have never seen him in the district attorney's office, with me.

Q. Have you given all the conversation you can recall in the district attorney's office?

The Witness—On the day when Mr. Bates accompanied me?

Mr. Moss—At any time, with reference to this case? A. No, I have not.

Q. Will you give us all the conversation that has occurred with reference to this case? A. I went to the district attorney's office and saw the district attorney in charge of the grand jury before whom this case was to come. I told him I understood the father of the defendant's bondsman was a member of that body and I told him also that I heard that it was rumored what the ultimate result of that investigation would be. I told him that I desired only a fair field and no favor, and if a disinterested grand jury declined to indict this man I was satisfied; but I did not desire, under the circumstances, to submit, so far as I was concerned, this case to the consideration of a grand jury concerning whose prejudice there might be some question. The gentleman told me—he said he was powerless to act in the matter, as the grand jury had insisted upon Mr. Bates' presence there. I went so far as even to advise Mr. Bates not to appear there, unless it was absolutely necessary for him to do so and they insisted upon it. That particular body, the grand jury did insist upon it, and he went there, and the result you know.

GLANVIL G. McINTYRE, being duly sworn, testified as follows:

Examined by Mr. Moss:

I am an attorney and counsellor at law. My office is No. 61 and 63 Park row. I have tried some murder cases. I have been associated with others in the trial of murder cases. I have been assigned by the court to the defense of persons charged with murder in only three cases. The first was—I was assigned by Judge Smith, with Mr. John F. McIntyre, my father, in December, 1896. I think that was when Mr. Olcott was in office. The case was not tried until the following March, at which time my father had gone back into the district attorney's office, and the indictment had been transferred back to the court of general sessions; and Judge Newberger assigned Mr. Stephen J. O'Hare to appear with me in place of my father, Mr. McIntyre. The case was tried before Judge Newberger, and the defendant,

Curcio, was found guilty of manslaughter in the first degree, for which he was sent to State's prison for twenty years. The next case was in July of last year. There were Robert Hoey, Thomas Cosgrove and John Brown, otherwise known as Sailor Brown. All three were charged with murder of one Margaret Crowley, in Monroe street, I think. The crime was supposed to have been committed in Monroe street. I had the Sailor Brown case. I was assigned by Mr. Justice Fursman, and Mr. Hal Bell and Mr. Ambrose Purdy were assigned to defend Hoey and Cosgrove. The case was called to trial. I will state first that the crime or supposed crime, was committed in March of last year. The three defendants were arrested, held by Police Magistrate Poole, who was sitting in Essex street court, and I think they were held directly for the grand jury, and not to await the action of the coroner. The case was sent before the April grand jury, and the April grand jury refused to indict. Mr. James Lindsey Gordon, the assistant district attorney in charge of the case, went before Recorder Goff, and he got permission of Recorder Goff to resubmit the case to the May grand jury, which grand jury indicted all three defendants. James Lindsey Gordon had the case, and the case was called to trial before Mr. Justice Fursman in the month of July, last year. I demanded a severance. Brown was put to trial first, and at the conclusion of the testimony for the people Judge Fursman directed an acquittal, and he criticised the district attorney's office for putting the case to trial, and he also went so far as to criticise the grand jury and Mr. Recorder Goff for reconsidering the case after the other grand jury had thrown it out. At that time the prosecutor was not John F. McIntyre, but James Lindsey Gordon. He conducted the prosecution.

Q. Who had charge of the grand jury? The minutes show that the prosecutor was Mr. McIntyre. Is that an error? A. I can't help what the minutes show. Mr. McIntyre took no part in that case. Yes, sir; it is an error. If the minutes show that Mr. McIntyre conducted that prosecution it is an error. The next case that I was assigned to was the case of Frank Pecha-

nando. I was assigned last June, by Mr. Justice Werner. The case was called to trial in July. Mr. McIntyre, my father, did conduct that prosecution, and Judge Werner would only allow the case to go to the jury on the third count in the indictment, which alleged manslaughter in the first degree. During that trial the feeling became so bitter between counsel, between my father and myself, that both of us on several occasions were called to order by the court, by Judge Werner. I do not mean to say that we called each other names. There was simply ill feeling. We accused each other of simply going out of our way, simply to further each other's side. That is all it amounted to. There was not actual hard feeling, but it did result in this; that until about the middle of October my father and I did not speak at all. That was the result of that case. As the result of that case. Now, Mr. Moss, would you——

Mr. Moss—Wait a moment. I do not want to have any more inferred from that than you mean. You do not mean to say, do you, that he or you accused each other of unprofessional conduct?

The Witness—No, sir.

Q. What was it? A. It simply grew out of wrangling over objections. The exact incident I cannot——

Q. How could that produce so much acerbity (using the expression of Mr. O'Hare) as to require interference between the counsel and the judge? A. Well, I remember distinctly on one occasion that we got to wrangling together, and we addressed one another, and Judge Werner called us to order, and said if there was to be any talking we were to both address the court, and not each other.

Q. And how could it be that out of a simple little thing of that kind, such as counsel are quite used to having in heated trials at the criminal bar, it would cause a break in the relations between you and your father for so long a time?

The Witness—What was the first part of that question?

Mr. Moss—What was there in that to cause a prejudice between you and your father for so long a time?

The Witness—What was there in it?

Mr. Moss—In the simple wrangling over objections. You say you did not speak until the first of the next October.

The Witness—No, I say this: That we became bitter in this language, and that we did not speak. There was not any open enmity or anything like that, but it was simply this: That the trial took place in July—no, June, rather. In July my father went to Seabright, and came into town every day, and about the 15th of July I went to Scarsdale, and I did not return until September, and from about the 15th of July until the first of September I did not see him at all. That was the last case that I was assigned to. I have mentioned the Sailor Brown case, and the Pechanando case, and I have also mentioned the case of the People against Curcio, in which Steve O'Hare was assigned to take my father's place. That was prosecuted by Mr. Blake.

By Mr. Hoffman:

I was only assigned once by Judge Fursman. That was in the Sailor Brown case. The second case that I was assigned to in the Supreme Court was by Judge Werner.

By Mr. Moss:

I did have other cases besides murder cases, certainly.

Q. In which your father was prosecutor? A. No, sir. Oh, I wish to recall that. Two weeks ago to-morrow I did try the Dorney case. A man was charged with manslaughter. That was not an assigned case. That was a case where I was retained. That was the case where the defendant was charged with pouring naphtha over the deceased and setting fire to it. I will state in that case, that in the month—that he was arrested in the month of September, and he was held by the coroner, and the case was so palpably weak that the coroner's jury exonerated him, and that Mr. Unger did not care about going before the

September grand jury. He waited until October. In the meantime he had secured, through the efforts of the police department, a confession, or an alleged confession by an alleged accomplice. The man was put on the stand during the trial, and he denied everything. He denied making any confession. His name was John Messner. He was the bartender in the place where the supposed crime was committed. This confession, if it was made at all, was made while the defendant, Dorney, was locked up in the Tombs. They could not prove any conspiracy whatever, and the confession was no good, and at the conclusion of the people's case, Judge Fursman, without giving me any chance to make any motion to direct acquittal, stopped right short and rapped on his desk with his gavel, and said that the case never should have been brought to trial, and my father got up in court, and he stated that he knew that the case was very weak, and that if it had not been for the fact that I was against him in the case he never would have allowed the case to go to trial, because there was nothing with which he could convict; and he also said that he knew that the man was an ex-convict whom he had convicted five years before for abandoning a baby, the defendant, Dorney; and on those two facts in themselves he said he ought to put the man to trial; the fact that he was an ex-convict, and the other fact that I appeared on the other side. And he laid all his evidence before the court. As far as any insinuations, or innuendoes, or anything of that sort being thrown, or any party wishing to throw them, the idea that there has been any collusion on the part of Mr. McIntyre and myself, in the trial of these homicide cases, I wish to characterize as a lie from beginning to end.

Mr. Moss—That is right.

The Witness—As anybody who had watched any of these trials, especially that Pechanando case, would readily see. There was some testimony given here yesterday concerning the Barbaretta case, and testimony was given by a man by the name of Francis. I will explain it to you. The testimony was to

the effect that the trial took place in the court of general sessions before Judge McMahon, and that I appeared for the defendant, and that my father came in especially to try it, and that Judge McMahon had refused to allow my father to appear against me, and some mention of the word "flim flam" was used.

Mr. Moss—No; he said he did not remember that.

The Witness—The insinuation was cast, anyway. Now, in the first place, that month my father was engaged in the supreme court; and in the second place, the only time that my father has ever tried a case in the court of general sessions was the first month that he went back into the district attorney's office, and another time last November, in the case of the people against Cappello. This witness testified that Judge McMahon made this criticism. My father never came into the court room. He had nothing to do with the case. Mr. Herman, assistant district attorney, tried and prosecuted the case. Judge McMahon sent the case to the jury. There was no direction, and I was not counsel in the case. I went in there, and I started the case for Mr. Palmieri, and he came in as soon as he finished another case and relieved me, and I went out, and I had nothing to do with the closing of the case or anything else. My father did not ask for an adjournment of the case for me. He appeared in that case in no manner, shape or form. I know that; I was there. The day before I went in there; I was ready to try the case alone myself. The calendar broke down. There were no more cases ready for trial except that one case. The defense was ready, and I answered ready for the defense, but Mr. Herman said that the complainant's witness, I think his name was Frasca, was not there, and he asked for an adjournment. Thereupon the judge ordered me to be ready for the next morning, and I told him I was not actually the counsel in the case, and he said, "Well, either you or Mr. Palmeri can come in and try that case." I became acquainted with Mr. Palmieri in June, 1897. We have been interested together in cases, and also civil cases.

Mr. Moss—Mr. Palmieri has been assigned in a number of cases that have come up in the supreme court? A. To my actual knowledge, not a number of cases. I can name some. He was assigned, I know he has been in a number of cases. I don't know whether he was assigned or retained. I was interested with him in the case of People against Cappello, which was tried last November, and it immediately preceded the first trial of William A. Moore, which was prosecuted by my father; tried by Recorder Goff; and the man convicted and sent to the State's prison for the term of 20 years. I was interested with him in that case. I will state that Mr. Palmieri makes it a practice, when he has a homicide case to try, or I mean a case in which it involves a human life, that he never goes into the court room alone. He will not take the responsibility alone. Before ever I had any connection with him at all——

Q. Do you go with him in homicide cases? A. Not all, no, sir. In some of them. Last July he tried a case over in Long Island City. I think he had Mr. Hal Bell associated with him. I have seen where it has been testified to here that Mr. Palmieri and I are partners. We never were partners, and never intended to be partners. Well, I would like to refer to this testimony given by this man Fish yesterday. I want to characterize it as downright perjury, and known to him. From an investigation last night, after I read the testimony, I went up and saw certain people, and from the information that I received, Mr. Moss, I think—I am positive, in fact, I know it now—that that knowledge itself was, or at least the knowledge was within your grasp, and you knew it.

Mr. Moss—Oh, dear!

The Witness (continuing)—That the testimony that that man gave on the stand yesterday was not so.

Mr. Moss—That is very sweet.

The Witness—I know it is, but it is true.

Mr. Moss—You have the stand. Go ahead.

The Witness—I am here. It has also been said by you in court here yesterday, or before this Committee, that I was afraid to

appear. I voluntarily appeared here to-day for that express purpose.

Q. Have you been served with a subpoena? A. I was.

Q. Why did you not obey it? A. I refused to come.

Q. Why? A. I don't recognize the power of this Committee to subpoena me.

Mr. Moss—Oh, dear me!

By Mr. Costello:

Q. Why do you not recognize the power of this Committee to subpoena witnesses? A. Simply for the reason that it has been decided in the state of Pennsylvania, and it has been held in the state of Pennsylvania, that a committee of this character has no power while the legislature is not in session, and that it dies with it, and that this legislature of this year is now dead, unless the Governor exercises his power of recalling it.

By Mr. Moss:

Q. In other words, you have been associated with the criminal practice of this district so much that you have imbibed the ideas that have been so fluently expressed by the district attorney himself? A. No, sir; I have got a mind of my own. I don't follow anybody else's ideas.

Q. And while you would not attend yesterday in obedience to the subpoena—— A. (interrupting) I came here expressly for the purpose of characterizing that testimony as perjury.

Mr. Moss—Yes; you pick out some little thing.

The Witness—When a man goes on the stand and accuses me with having anything to do with any such stuff like that, I will defend myself.

Mr. Moss—Wait.

The Chairman Pro Tem.—You have put yourself under the jurisdiction of the Committee now.

Mr. Moss—Wait; you are in the position of having disobeyed a subpoena.

The Witness—Yes, sir; and I am willing to go on record for it.

Q. Then, after having heard some particularly pungent piece of testimony, you come here and volunteer yourself to take the stand to answer that particular piece of testimony. That is your position, is it not? A. Not exactly.

Q. What is the name of that case in Pennsylvania? A. If you recall the case, I do not think that it is known by any name, as you express it.

Mr. Moss—Name it by any name as you express it.

The Witness—It was a decision handed down by the highest court in Pennsylvania, in reference to certain witnesses who were called.

Q. Where is it reported? A. I will produce it here for you.

Q. Where is it reported? A. I don't remember.

Q. Have you read it? A. Yes, sir.

Q. In what report? A. I don't remember. I didn't memorize it for the distinct purpose of going on this stand.

Q. In what set of reports? A. In the Pennsylvania state. I think that is it.

Q. In what year? A. I think it was in the year 1884. I will say this: I will place it between the years 1880 and 1885.

Q. Was it in the court of appeals of Pennsylvania? A. I don't know as there are any courts of appeals in Pennsylvania. It is a common law state. I don't know that it is known by that name. I am not here as an expert.

No afternoon session.

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PARLOR 74, ASTOR HOUSE, NEW YORK,

WEDNESDAY, *December* 6, 1899, 10.30 A. M.

The committee met pursuant to adjournment.

Present—Messrs. Mazet (chairman), Costello and Hoffman.

At 11.25 a. m. the chairman made the following announcement:

Mr. Mazet—Owing to the fact that some members of the committee are absent, and we are not able to get a quorum, we will adjourn until 2 o'clock.

All witnesses present who are subpoenaed will report here at 2 o'clock, without further notice.

Mr. Hoffman—I would like to have it noted on the record that the minority have raised no question as to any quorum being present, so that the record will show that fact.

Recess to 2 o'clock.

AFTER RECESS, 2 P. M.

The committee met pursuant to adjournment.

Present—Mr. Mazet (the chairman), Mr. Costello and Mr. Hoffman.

The Chairman—There being no quorum, the committee will adjourn subject to the call of the chair.

Mr. Moss—Before you adjourn, Mr. Chairman, I will state that we might have taken some testimony this morning, I suppose, but I felt that this being probably the last full week of testimony, and there being members of the committee in the city, we

should commence with a quorum. I expected to take testimony to-day and to-morrow and Friday, and made my arrangements accordingly, and subpoenas were all served for those days. The evidence in the hands of counsel to be produced this week, according to dates as understood, include to-day evidence concerning the sewer department, Croton watershed condemnation, judgments against the city, evidence affecting the register's office, and evidence concerning the street opening commissions of this city.

To-morrow, evidence affecting the district attorney's office and the building department.

Friday, evidence affecting the East River bridges, the Queens county improvements, the Subway company, another matter which I have written a letter, and important evidence affecting the police department.

There are documents and affidavits to be submitted referring to various matters that have not been finished, such as the Third avenue change of motive power, Ramapo, defective hydrants.

Will it be possible to fix a day?

The Chairman—It does not seem so now. I think it is unfortunate, but the difficulty seems to be that some members of the committee have made arrangements for this week, and, under those circumstances, it would be hardly fair to other members and witnesses to have them here without being sure of a quorum.

Mr. Moss—I regret very much that a great deal of documentary evidence that is necessary to complete the record, and which can be put in in a few minutes, cannot be put in. Possibly the committee can take some action that will permit that to be done.

The Chairman—We will consider that.

The committee stands adjourned subject to the call of the chair. All witnesses subpoenaed here are excused.

Mr. Moss subsequently offered the following statements, which the chairman directed to be incorporated into the record.

SUGGESTED AMENDMENTS TO THE CHARTER.

City of New York, Borough of Brooklyn—Office of the President of the Borough.

November 28, 1899.

Hon. FRANK MOSS, Counsel, Assembly Investigating Committee, No. 93 Nassau Street, New York City:

Dear Sir—I have yours of the 21st instant asking my views on twelve questions, which I will answer in their order:

First. "Should the division of the city into boroughs be continued or discontinued, and why?"

It should be continued for the reason that the different localities of the Greater New York as represented by the several boroughs have varied interests and needs which are best understood by borough officials. It would be a hardship on residents of outlying setions to compel them to go to a central office in Manhattan to transact all city business. Endless confusion would result for the reason that central officials could not have personal knowledge of all the localities of the city. The same argument applies for the continuance of boroughs in a city so great as New York as for the existence of counties in the state. Indeed, there can easily be found more reasons for a larger number of boroughs than we have, than for the abolition of all boroughs; for local autonomy could be be made more effective if the territory of each subdivision were smaller.

In this connection I call your attention to the London government act, passed July, 1899, which divides London into twenty-nine self-governing boroughs, each with its own mayor and council, but all subordinates to the London county council. I take pleasure in sending you a copy of that act herewith. Our present charter parallels this in part by establishing seven local improvement districts in Brooklyn, eleven in Manhattan, two in the Bronx, and one each in Richmond and Queens, twenty-two in all. It remains but to give the local boards and the boroughs larger powers to make real autonomy.

Second. "Should borough local boards be continued or discontinued, and why?"

I believe the continuance of local boards to be desirable for the reason that they are the best medium between the citizens of a locality and the center of city government. The meetings of the local boards in Brooklyn have approached as nearly the town meeting plan of villages at which all citizens have a voice as can be attained in a city. Citizens have felt free to attend the meetings and to speak before the small body of officials who compose a local board. The councilmen and aldermen composing the boards, being under the eyes of their constituents at the meetings, have been prompt, faithful and attentive to all the interests concerned. Where there have been opposing interests to any proposition both sides have been given a hearing, frequently a desirable compromise has been reached, and if no compromise were possible at least the result has always been attained of convincing citizens that they had been given a fair hearing. What is needed now is power in the local boards to make their action effective—to direct the making of the various street improvements and to see that they are done at once by the departments, instead of being limited, as now, merely to the power to make a recommendation which, under the complex system of the charter, means long delay before it results in action.

Third. "Should borough presidents be continued or discontinued, and why?"

I adhere to the position I took a year ago, in my annual report, in which I said:

"The borough presidency has been generally regarded as an experiment. Doubtless the powers and responsibilities of the office are altogether incommensurate with the dignity of an office filled by election by all the voters of a borough, and the only office under the charter so filled. Whether or not the office is, nevertheless, a useful and necessary one will be clearer of determination after reviewing its first year's record. That its duties may profitably be increased and its powers advantageously enlarged I entertain no doubt. And that this will be done, if the desire

be to increase local self-government, and to avoid a dangerous and unwholesome centralization, is equally clear. But that the office should remain such as it now is seems to me wholly undesirable. All depends upon the line of growth in metropolitan affairs. Greater centralization of all the powers of government will tend to destroy the borough presidencies. But if the fullest measure of local self-government which is consistent with the necessary and to my mind desirable state of municipal union is to be the end sought in developing the present charter, then this office will be made more useful."

Fourth. "In your borough has the local board secured or produced any benefit to the borough, and if so, what? If not, why not?"

The local boards have been the means of making known to the officials having power the needs of localities. They have done this better than would have been possible by any centralized system. Their recommendations in the matter of local assessable improvements such as grading and paving streets, the construction of sewers and opening streets have been in the best interests of localities, and, so far as those recommendations have been acted upon favorably, the local boards have produced benefit. In the matter of street openings it was formerly the custom to open only such portions as were petitioned for by property owners, sometimes only a block. The local boards of Brooklyn have adopted the rule that when a petition for opening a street is received the question shall be considered of opening the street to the extent of its unopened portion. As the opening proceedings cost practically the same for a block as for a considerable distance, the rule established by the local boards of this borough has resulted in distributing the cost of street openings over a large territory and at the same time reducing the number of proceedings. Were such questions left to officials having no personal knowledge of the locality it is probable that this benefit would not be secured. I refer to this as only one instance of the benefits secured by local boards of this borough. That one benefit has saved to property owners much more than it has cost the tax-

payers to maintain the local boards. The most pronounced benefit, however, has been in the making of minor improvements, such as flagging sidewalks, fencing vacant lots and grading lots. These matters are the only ones in which power is vested in local boards by the Greater New York charter. (See section 403 of the charter.) The result has been that more sidewalks have been flagged in Brooklyn since consolidation than was probably done in the former city of Brooklyn in a period of five to eight years. Were power and not merely privilege of recommending given to the local boards in more important matters the same proportion of benefit would probably result.

Fifth. "The same question as to the borough president?"

As the borough president is *ex-officio* the president of each local board the same answer applies to this question as to the previous one. He is in addition a member of the board of public improvements and thereby serves as the minium of making known to that board the wants of citizens as expressed to the local boards. The benefit secured by borough presidents has been simply that resulting from their being advocates for the citizens of their boroughs. Their offices in the boroughs have to an extent been bureaus of information for citizens, and as the charter has not, up to the present time, been thoroughly understood by all the residents of the city, it has probably been an advantage to taxpayers to have this source of obtaining information.

At the same time, the place as now constituted is most ineffective and weak. In the local boards the borough president has no veto, but only a vote. In the board of public improvements he has a vote only upon such matters as affect his own borough exclusively. An East river bridge or a Ramapo water contract, therefore, can be voted upon by no borough president. There is practically nothing that a borough president, after examinaion and having determined what should be done, can proceed to do. He can only then attempt to persuade some other official that the thing should be done. The place is thus barren of power and is not as effective as such a place should be.

Sixth. "About what amount does your borough pay into the city treasury annually by taxation?"

The tax levy in Brooklyn for 1899 is $15,459,712.79.

This question suggests to me that perhaps the idea is entertained that the allotment of money to each borough by the city should be in proportion to the amount it pays into the city treasury. As, however, all the boroughs contribute to the wealth of the business part of Manhattan island it is manifestly fair that they should be given a proportion of the revenue accruing from taxes on that property. Take for instance the case of a Brooklyn capitalist who owns one of the large office buildings on Broadway. Perhaps one-half of his tenants live in Brooklyn. Probably more than one-half of the employees of his tenants are Brooklynites. All of these live in Brooklyn, their children are educated in this borough, and they secure police and fire protection here and the benefits of street and other improvements. It is only fair therefore that a portion of the revenue from the taxes on the Broadway office building should be applied to maintaining Brooklyn institutions.

This principle was recognized by New York city after the annexation of the territory beyond the Harlem, the development of which has been made to a large extent either at the expense of or on the loan credit of Manhattan island. And I might add that although Manhattan island aided the Twenty-third and Twenty-fourth wards in their development, the citizens of these wards were permitted to administer to a great extent their own affairs through a commissioner elected by them. The plan proved economical and highly satisfactory.

It was recognized, also, in the provisions of the law appointing the charter commissioners and in the charter, both of which provided for equality of taxation and assessment. Without it consolidation would never have been voted, for the taxable wealth created in lower Manhattan by the business there done by 150,000 residents of Brooklyn is something which Brooklyn has a right to share in, and which she voted to consolidate with New York for the purpose of sharing in. As well create a separate borough of

Manhattan island below Fourteenth street, with a separate rate and allotment of taxes—to do which would impoverish the tax resources of all the other boroughs—as to attempt any apportionment of city money among localities according to the taxes paid by such localities.

Seventh. "What public improvements if any has your borough secured?"

I have not the data in this office from which this question can be fully answered.

Eighth. "Are there any former towns or villages in your borough in which the street cleaning, fire, police, and other public services have deteriorated, and if so, will you give such particulars as you can, and the reason for each deterioration?"

The street cleaning, fire and police services have been improved since consolidation. The repaving of streets and the making of new improvements of an assessable nature have not advanced as rapidly as would have been the case had such matters been left to local officials.

Ninth. "Have you any plan by which the boroughs outside of Manhattan can secure a better public service and a better proportion of public improvements?"

I would suggest that as far as possible money be set aside by the board of estimate and apportionment for each branch of public service in each borough and for the making of public improvements in each borough, and that borough officials have control, under the supervision of the board of estimate and apportionment of the expenditure of that money; thus avoiding the delay which the present jurisdiction of the board of public improvements necessitates. In the making of assessable improvements which are paid for ultimately by property owners but for which the city must first make a loan out of its street improvement fund pending the paying of assessments, I think the board of estimate and apportionment should determine from time to time the extent to which each borough shall be permitted to draw on the street improvement fund, and that borough officials should determine to what purposes their allotment of the fund should

be applied. If this plan were adopted, however, it would be necessary that each borough should be represented in the board of estimate and apportionment in order that the interests of all the boroughs should be protected. Were this plan adopted it is probable that some of the present elaborate municipal system could be abolished and that a more simple municipal system for expending money advantageously in each borough could be adopted. This is an enlargement of the plan which proved so successful in the Twenty-third and Twenty-fourth wards prior to consolidation. I think there is in that plan the basis of a solution to the problem of governing the Greater New York.

Each borough president's office should have its own engineering and topographical bureaus attached. Some of the present six departments created out of the former city works department might well be consolidated; and the board of public improvements, its powers being thus largely distributed among the borough presidents, would not need its present staff and equipment, nor a president having no other duties, and might profitably be reduced to a board which should meet but once a month and have to do only with matters affecting more than one borough.

Tenth. "Do the outlying districts in Queens and Richmond require the elaborate department arrangements which are needed in Manhattan, Brooklyn and Bronx?"

No. Neither do the boroughs of Manhattan, Brooklyn and the Bronx require such elaborate arrangements. Three or four commissioners in each borough under the direction of some official in the borough, with money allotted to the borough by the board of estimate and apportionment, could very easily conduct the administrative affairs of the borough. I have always been unable to comprehend the necessity of deputy commissioners for the borough of Manhattan, when the commissioners themselves are located in that borough.

Eleventh. "Are deputy commissioners of the various departments needed in the different boroughs?"

If all the present departments are to be continued it is necessary for the convenience of the residents of each borough that a deputy commissioner be stationed in that borough.

Twelfth. "Have you as borough president any appreciable influence upon the action of any of the city departments which operates in your borough?"

By the courtesy of the deputies located in this borough, I have some influence upon their action. I also have some influence because of being a member in the board of public improvements, and the presiding officer of all the local boards of the borough.

Very truly yours,

EDWARD M. GROUT,

President of the Borough.

The City of New York, Office of the President of the Borough of Queens.

Long Island City, *November* 24, 1899.

Frank Moss, Esq., Counsel, Assembly Investigating Committee, City of New York.

Dear Sir—In response to yours of the 21st., resfectfully submit the accompanying copy of that transmitted as addressed, which with the following taken together, I hope will fully meet your requirements and that your efforts and those of the committee you represent may result in the re-establishing home government in the several boroughs on improved systems, so ardently desired by the taxpayers and citizens therein.

The Greater New York is too large an area, too diversified and distinct in sectional interests, conditions and requirements, to admit of same being properly responded to for all the boroughs into which it is naturally and by the law divided; nor can individuals be found, much less be appointed, who singly in a special degree, would be possessed of that extraordinary intelligence, knowledge, executive ability, close application, self sacrifice and physical endurance necessary, to know, understand, initiate, progress and successfullly carry out the innumerable demands that call for, not only the protection of existing conditions, but which

require to be brought into being, stimulated, guided and progressed, in order to make that advancement so essential, not only to hold a people from retrograding, but which without forced and healthy improvements would leave communities dormant, bereft of all ambition, whilst being but experimented upon by single heads of departments and officials.

The local board of the borough of Queens being composed of persons residing in the localities in which they were elected to office by the people thereof, should be credited with having been chosen for their intimate knowledge of the local condition of affairs, and the reliance that could be placed in them, to serve the best interests thereof, to which local pride in addition to duty as well as direct accountability would naturally actuate them to make an honorable record; should in the interest of "Home Rule" be continued with ample power to make proper response to the reasonable expectations of the taxpayers of the borough.

When taking into consideration the facts that to the great surprise of the people of the several boroughs, when they came to realize that the presidents of the boroughs were such only in name, notwithstanding which, such officials, supported by public sentiment in favor of a continuance of Home Rule applicable to the changed conditions of a Greater New York, made such a favorable record in opposition to centralization, as to cause the gentleman referred to, to denounce such officials in manner such as he is charged with; it remains an impossibility to imagine what adjectives he would have felt obliged to prefix to the epithet used, in order to fully express his feelings if the borough presidents had the power that was expected to have been conferred upon them by the charter, and which the eminent gentlemen who drafted same claimed was their aim to incorporate therein. In connection with the foregoing, beg to add, that I am not apprehensive in the least that the feelings and opinions expressed as quoted will have any influence whatever upon you, and your committee as against the presidents of the boroughs, but judge that the committee will make good use thereof in the interests of the people and "Home Rule" as against "Centralization."

The local board of the borough of Queens has consistently supported the president of the borough in the very many matters which have been petitioned for and complained of.

As you are aware the constitutional debt limit was the first obstacle that was met. The next difficulty that this borough had to contend with was the fact that no generally officially adopted map or plan of streets of the 134 square miles of territory within the boundaries of this borough had ever been had and filed, excepting that of Long Island City, which, although made and filed over twenty years ago, and showing thereon streets that were in use years before, are nevertheless under opinion of the corporation counsel, held subject to the process of legal opening, as a preliminary requisite to improving same.

We have succeeded in having a branch of the Topographical bureau of the city of New York established in and for this borough, and have applied to the corporation counsel to place a branch of his department here in close touch with it and with my office. This borough, in area double that of Manhattan and Brooklyn, hence equal to both of them, situated along the former to be connected therewith by the Blackwell's Island bridge, and separated from Brooklyn by only a line drawn diagonally across existing blocks, part of a block being thus in this and the other part of same block in the borough of Brooklyn, simply awaits rapid development, for which it is ripe, by the inauguration and prompt progress of public improvements, and will be followed by handsome returns to the city in increased assessed values for the purpose of taxation. Economical administration of local public affairs in boroughs is impossible in the hands of other than those residing in and elected therefore by the people therein. And, as for the borough of Queens, especially that portion lying opposite to Manhattan and Brooklyn, which has been held back for years by unscrupulous politicians, its interests will no longer permit it to be regarded, much less to be treated as an outlying section of the Greater New York.

So far, consolidation has been productive of great increases in public expeditures, without economy and additional ability, or

with as much responsibility as heretofore existed; nor is it to be wondered at when the president of the borough has been made but a figurehead, without power at home or abroad, whilst home affairs have been placed and continue to be in the hands of irresponsible and inefficient foreign commissioners.

Yours respectfully,
FREDERICK BOWLEY, President.

The City of New York—Office of the President of the Borough of Queens.

LONG ISLAND CITY, *November* 23, 1899.

THOS. P. PETERS, Esq., Editor Brooklyn Times, Brooklyn, N. Y.:

Dear Sir—The inclosure herewith is submitted as a hurried response to your request therefor, holding myself however subject to your further wishes in respect thereto or any other subject that may be of service to all concerned, remaining,

Yours truly,
FREDERICK BOWLEY, *President.*

To the Editor—The provisions of the charter of Greater New York by which the expense of publishing the proceedings of the city officials and the many notices required by law, is diverted from the only regularly established medium adopted by the public "the daily press" to which it looks not only for such necessary information, but also to thereby become conversant with the happenings in daily life in relation to commerce, trade, finance, manufacture, politics, international and internal affairs, society, religion and the many other parts of its make up, and the people thus deprived of being informed and prepared as against the attempts, and upon the doings of those, who, by virtue of the public office they occupy should be true servants of the people; and in place thereof, appropriates and sanctions the expenditure of this large sum of public funds in maintaining a publication of that which is known as the "City Record" devoted exclusively to the publishing of city government affairs, supervised by a board of city officials, issued from the basement of City Hall in Man-

hattan Borough, furnished by contract between the city and a private firm that appears most fortunate in its holding upon the title of "City Printers" and which contract provides that the city shall be furnished with not more than 2,000 copies of said "City Record" free of charge, which may be assumed to be about the extent of its daily circulation, and in which reports have appeared so long after date they bore as to be musty with age, and with so many repetitions of some proceedings through the various bodies sufficient to bewilder and confuse the ordinary public, has ever been and still remains to me an enigma. Thus it is that I highly appreciate the valuable services that under such conditions and without compensation from the city, you have rendered to the people of the Borough of Queens, by publishing in the "Daily Times" the most important matters of an official character as they, from time to time arose, whereby the public and its official servants in the persons of the presidents of the boroughs and its local boards have been kept in that close touch so essential to home rule and good government, in which the daily press is a most powerful agency and in which regard the City Record is looked upon by me as an imposition upon the public, useless if not dangerous and a waste of public money that is lavishly expended for its support.

That the presidents of the several boroughs, proud of the honor of having been elected as the chief representatives of the people thereof, and correspondingly conscious of the duties thereby imposed, and determined to fully meet the expectations of their local constituencies should have by their persistency in upholding the rights of "Home rule" as against the bold attempts to centralize the power over the right of the people in the several boroughs into the hands of appointed commissioners who are not directly responsible to the people, nor does the mayor by whom they were appointed claim to be accountable for their acts, not having commended themselves to the favor of many of the old New Yorkers, is, in view of past and recent events not to be wondered at, any more than it was not expected that such would meet their approval.

The extent or degree to which such course pursued by the borough presidents in the discharge of their duties to the public have upset private calculations and called forth adverse criticism as to the public policy thus pursued is most forcibly illustrated by an interview which appeared in the daily press (not the City Record) in which the chief democrat of the Borough of Manhattan, and by the way the president of which is looked upon as his appointee, and is consequently not included with the borough president above referred to, who were elected and thereby are responsible to the people, is credited with having stigmatized the borough presidents as being a "nuisance."

The character of such public denunciation and the prominent source from which it emanated and the admission thereby made that the united efforts of the presidents in demanding and defending the people's rights to local self-government against centralization has been annoying, troublesome and vexatious to individuals and not to the public (as the expression made as quoted does not charge them as being public but as private nuisance) may without shame be held up in evidence of the reliance that can be placed in the amendments to the charter of Greater New York that may be submitted by the borough presidents; and in respect to which, presuming upon your public spirit heretofore evinced and the courtesies extended, take the liberty of requesting that you permit me the use of your valuable paper to express to the many readers thereof in this borough, my individual convictions of some of the principal features in which the city charter in the cause of home rule, should be revised, to wit:

I fail to be able to agree with the proposition of shortening the term of the mayor from four to two years, and favor making the incumbent eligible to re-election.

The election of a mayor of the Greater New York every two years would not afford sufficient time for any good citizen, however well qualified as a business man he may be, to fully comprehend and thoroughly understand the many intricacies of public affairs with which he, as the chief executive officer of the city would be called upon to deal, nor would he from the knowl-

edge acquired by investigation and experience therein have time to inaugurate and carry out any necessary special line of public policy thereby suggested, for the uprooting of existing evils and the firm implanting of reforms resulting in public welfare, and to the honor of his administration; in which case re-election to the office could not be regarded as an indorsement of past official conduct in the interest of the people, nor would he retire therefrom with the satisfaction of having secured that honor which should accompany every incumbent of the office.

The longer the term of office, the more necessary it becomes for the voters to support that political party's candidates for home offices which nominates the most fitting man for same, thus subserving the best interests of the people.

An election of mayor every two years, with its great disadvantage of the city, as above set forth, and thus shorn of that official honor which should be a precious inheritance would be simply making the highest city office a mere political bagatelle in which the " people's choice " and the " office seeks the man " would have no part.

The people of any community who will become so regardless of their obligations of citizenship, and to their homes, as to make it possible for an unworthy person to be nominated, yet more so to be elected as their chief magistrate, are not entitled to any sympathy in the consequent penalty which they thereby inflict upon themselves, and the same has thereby been well merited, and from its bitter experience, a not soon to be forgotten and salutary lesson is learned, such as was taught by the maladministration of the " Tweed regime."

The term of office of the appointees of the mayor should not extend beyond the term of the appointing power so as to prevent the impossibility of his successor to the office being hampered in the administration of the city affairs by commissioners not of his choosing, and should have absolute power of removal of all such, when his general responsibility of their acts should make it obligatory on his part, for the advancement and

protection of the interests, property and morals of the public so to do.

The board of estimate and apportionment and the board of commissioners of the sinking fund should be composed of the mayor and the comptroller of the city of New York and the presidents of each of the several boroughs of said city.

Thereby, the people of every section of this city and of all the property subject to taxation therein will be duly represented in the proper disposition and just distribution of the public funds for which levy is made.

Furthermore, the liability of the mayor being regarded as in a threefold capacity in the board of estimate and apportionment in his own person and that of his two appointees therein will be avoided. There should not be any rebate allowed upon the payment of taxes which annually amount to a very large sum and must exceed by far any special advantage accruing therefrom, the difference of which simply reduces the paying ability of the city to such extent and has to be made up in the deficiency fund of the next annual budget and tax levy. The interest on taxes should be charged from the first day on which same are collectible after the expiration of one calendar month therefrom, during which time same were payable, without interest.

The date upon which taxes for the year 1900 should first become collectible should be September 1st, and upon the first day of an earlier month in each subsequent year, until by such process the date for the collection of taxes will begin with the commencement of the fiscal year of the city's receipts and expenditures, for which purpose the time required for the making of the budget and levying of taxes should be graded accordingly. By this method the length of time for which interest is paid upon revenue bonds issued to a very large amount in anticipation of collection of taxes would be shortened one month in each year so that by the year 1908, the present expensive system of borrowing money to run the city government would be abolished, and instead of annually issuing revenue bonds in anticipation or advance of the collection of taxes as is now done to meet the requirements of

the city from January 1st to November 1st, being ten months of the year such bonds would be required to meet the needs of the city for months of November and December, only, issued upon the balance of the levy or the amount of uncollected taxes, which since January 1st have been and remain until paid, subject to penalty for non-payment of interest at 7 per cent. per annum as against 3½ per cent. interest which the bonds bear and such bonds should be issued for such time only as will be necessary to enforce the collection of arrearages of taxes by distress and sale in manner as provided by law.

All the powers which are vested in the municipal assembly, relating to the city's finances, other than the tax levy, should be conferred upon the board of estimate and apportionment. To the commissioners of the sinking fund, the powers and duties now delegated and imposed to and upon the municipal assembly respectively in the matter of authorizing the issuing of bonds should become vested in the commissioners of the sinking fund.

The powers, duties and jurisdiction of the municipal assembly, in respect to public works and improvements of a local nature should be confined to a local board of administration in each borough of this city in which such members reside, with ample power to investigate, determine and enforce a compliance with the local requirements of the people and the public interests they represent in their respective boroughs as hereinafter more fully set forth.

I consider it necessary that there should be a board of public improvements into which, and the boards of local administration could and should be passed, the power of the municipal assembly in relation to public works and improvements of a general and local character.

The amendments of the charter in connection therewith, should be in substance to the following effect:

Section 410. There shall be in the city of New York a board of public improvements, to consist of the president of said board, the mayor, the comptroller, the president of each borough, the commissioner of water supply, the commissioner of highways, the

commissioner of street cleaning, the commissioner of sewers, the commissioner of public buildings, lighting and supplies, and the commissioner of public bridges.

No commissioner shall have a vote in said board except upon matters relating exclusively to the department of which he is the head, nor shall he be counted as a member of the board for the purpose of ascertaining if a quorum is present.

No member of the board shall be represented therein by a deputy.

The president of the board shall designate one of the borough presidents as the vice-president of the board.

§ 413. All public works and improvements with the cognizance and control of any one or more of the departments of the commissioners that are members of the board of public improvements that may be the subject of a contract that relates particularly to the whole of one or more boroughs jointly, and where the expense thereof is to be borne wholly by the city of New York, or any public work or improvement in any borough, the expense of which is to be borne in part by the city of New York, or any public work or improvement in or upon any streets or lands through which the dividing line between two adjoining boroughs exists, and where the lands and premises abutting on both sides of such dividing lines and the lands and premises adjacent to such abutting lands or premises as the case may be, which shall thereby be made subject to assessments for the expenses thereof, may be recommended by the board of local administration of either or both of such boroughs, but must finally be duly authorized and approved of by a resolution of the board of public improvements and receive the approval of the mayor to be of effect.

§ . The amount appropriated each year for the purpose of repaving streets shall be expended upon such of the streets of the several boroughs authorized to be repaved by the board of public improvements upon the recommendation of the local board in the order as the board of public improvements shall direct the commissioners of highways so to do.

§ 419. One half of the general appropriation made each year to the department of highways for labor, maintenance and supplies, to the department of sewers, applicable to the repairing and cleaning of sewers, and the construction of drains, to the department of public buildings, lighting and supplies for the lighting of the streets in and for each borough shall be expended for such like purposes, in such manner and in and upon such streets and places in each borough as the local board or boards therein jointly shall, within the period of the first four months of each year determine and certify to such departments respectively.

§ . It shall be the duty of the president of each borough to be vigilant and active in demanding that the city ordinances relating to their respective boroughs, and the rules, regulations and duties of the several departments of the city situated or operating therein, and the laws of the state in any way relating to such localities be executed and enforced, as also in all matters and things which concern the peace, comfort, welfare, health and protection of the interests, property and the morals of the people, and the economical, just and efficient government and administration of public affairs of their respective boroughs.

§ . In case the efforts of the presidents in respect to the discharge of the duties imposed upon him by the preceding section shall not prove satisfactory to him, he may certify his grievances in regard thereto to the mayor of the city of New York who shall within ten days after the receipt of such certificate set a time at his office and summon thereto all the officials whose duties in any manner relate to the matter complained of by the president of the borough and afford a hearing thereon.

Should the matter complained of prove to be a flagrant disregard of official duty or violation of law, the mayor is hereby empowered and it is made his duty to dismiss the person so found guilty from the position occupied as a city official and such person so dismissed shall not be again eligible to hold any city office.

A certified copy of every contract entered into for local improvements with the specifications relating thereto shall be

promptly filed in the office of the president of the borough in whose district such contemplated work is to be done by the official, or head of the department or commissioner who executed such contract, and when such contract shall have been completed, the official head of the department, or commissioner thereto shall, within five days after the acceptance of such work is asked for, file with the president of the borough wherein such work was done, a notice to that effect, which is to continue to run for ten days after receipt of such notice before acceptance thereof can be made, and the comptroller of the city shall not make the final payment under such contract until he affords the president of the borough ten days time when such president may file his objections (if any) to such payment being made.

The same course should be followed as to every other contract for public works and improvements authorized by the board of public improvements to afford the board opportunity to file its objections (if any) as against the final acceptance of the work and the payment of claim made therefor.

No contract should be made by the commissioner of water supply for additional supply of water unless the same is authorized and approved by the board of public improvements, the municipal assembly and the mayor.

There should be in every borough of the city of New York a board of local administration to be generally known and described as the "Local Board" and to be composed of all the membrs of the municipal assembly who reside therein and of which body the president of the borough shall by virtue of his office be chairman thereof.

A local board should have the right in all cases where the cost of the improvements is to be met in whole by assessment upon the property benefited, located in its respective boroughs, whether the same be petitioned for or not, to recommend to the board of public improvements that the proceedings be taken by it to promptly have such made; and no such improvements should be made unless first recommended by the local board except for the construction of trunk sewers, and should also continue to have

all other powers conferred by section 393 and other sections of the charter.

A local board should have the power within its respective borough to grant the privileges for which the municipal assembly is authorized to adopt general city ordinances, and exercise therein all the other powers which such city ordinances required to be complied with, as far as the same may reasonably apply to persons, matters and things within their respective boroughs. And the president of each borough should be empowered to issue such permits, privileges and licenses in his borough as also those which are now authorized to be issued by the mayor.

Copy of every report required to be made by the head of any department shall be promptly filed in the office of the president of the borough to which it refers.

In conclusion, I beg to add that there are other matters of great importance under the present form of government, which, when more fully developed will better enable the public to understand and appreciate the needs for amendment of the laws governing same, pending which and thereafter will remain as ever,

Yours appreciatingly,

FREDERICK BOWLEY,
President.

NEW YORK, *November* 29, 1899.

FRANK MOSS, Esq., Counsel to Assembly Investigation Committee.

Dear Sir.—I am in receipt of your letter of November 22d in relation to the proposed changes in the Greater New York charter. In this communication it is stated that there are two suggestions or propositions before the investigation committee of the assembly in reference to such changes, namely:

1. The abolition of the borough presidents and local boards, and

2. To "give the boroughs full control over matters that affect the boroughs themselves rather than the city at large."

An answer to the last proposition involves also an answer to the first. It would be difficult to define what matters affect the

boroughs that do not also affect the city at large. It cannot be the construction of sewers, nor the laying out of new streets, avenues, parks or places, for, although the expenses of these improvements may be finally borne by assessment by the borough in which they take place they must be paid for in the first instance by the issue of assessment bonds, for which the whole city would be responsible until maturity and redemption.

If the boroughs were allowed a free hand in these matters the limit of indebtedness would soon be reached. If these cannot be made matters of local control it would be difficult to conceive what could be.

Here let me say that this matter was seriously and deeply considered by the charter commission, and it was the opinion of a large majority of that body that giving the local boards of the boroughs the powers referred to would ultimately result in the creation of five smaller municipalities under the names of the boroughs, instead of one Greater New York. The present condition of the school system in our city is an evidence of the confusion and disorder which results in a distribution instead of a consolidation of power.

There is only one way in which local boards and borough presidents could be made useful, for as at present constituted they themselves admit their uselessness. That is, to create five minor municipalities with local legislatures and borough presidents, fully equipped with the power of home rule, authorized to make all necessary public improvements, create legal obligations upon the estates, real and personal, within their respective boroughs, with power to organize health, police, fire, public works, finance, law and other necessary departments. The expenses of all these departments, and all other expenses in each borough, to be borne by taxation levied upon such borough.

The power of the mayor of the greater city in such a scheme would have to be the subject of careful consideration, but it might be made his duty to carefully supervise the affairs of each borough, to have the power of removal for neglect or malfeasance or misfeasance in office of any head of department, but

not the power of appointment. He might also be given the power of veto of all ordinances making appropriations of public money, which should be overridden only by three quarters vote of the local legislature of the borough in which the ordinance originated. This, of course, would not be consolidation, but it would be the only way in which borough authorities could be given the power they ask for fairly and justly.

My views upon the matter referred to in your letter are as follows: I favor,

1. The abolition of the borough presidents and the local boards.

2. The abolition of one branch of the municipal assembly, preferably the council, because privileges conferred by old charters upon the mayor, aldermen and commonalty of the city of New York might be jeopardized by the abolition of the board of aldermen.

3. The local nomenclature of the boroughs should be retained to prevent confusion in the names of the streets, which are duplicated and triplicated in the Greater New York.

4. The government of the schools of the Greater City should be handed over to a board of five commissioners who should be compelled to give their whole time to the administration of the affairs of the public schools, and who should receive a liberal compensation. The school system of this city has become so vast and expensive that it can no longer be properly administered by gentlemen, however great their ability or good their intention, who make it a matter secondary to their own business, either in time or attention.

5. The board of public improvements should be reduced in number in the interest of economy and simplicity. The department of bridges should be consolidated with the department of public buildings, lighting and supplies. The department of street cleaning should be consolidated with the department of sewers. The department of water supply with the department of highways. In each of these departments suggested to be consolidated the duties are cognate, and could be thus more efficiently and economically discharged. The department of

bridges, although important, has but simple duties to perform, and might very properly be made a bureau in the department of public buildings, lighting and supplies, particularly since the work of constructing new bridges is almost invariably entrusted to a special commission. The cleaning of the streets involves the cleaning from the sewers of the detritus and street refuse which the street cleaners and the storm water sweep into them; and both departments might very properly be consolidated into one. The department of highways is charged with the duty of keeping the streets, roads and avenues of the city in good condition, while the department of water supply, among other duties is obliged to tear up the streets for the purpose of laying water mains and making house connections. It would certainly tend to simplicity and directness of administration to consolidate these departments.

6. The board of estimate and apportionment has been for the period of about thirty years the financial board of our city, and I think it will not be denied that in the main it has been a useful part of the municipal machinery, and has rendered good service. It has nearly always been a conservative body. The objection, that the mayor, with two of his own appointees, controls the board, is not sound. As the mayor is largely responsible for the expenditures of the city he should have a controlling voice in the board which makes the appropriations and practically levies the taxes. The composition of the board should remain undisturbed.

7. The restrictions placed upon the mayor's power of removal of heads of departments have been in effect many years. I have always regarded the unlimited power of removal by the mayor as a dangerous one to place in the hands of a man who might be ambitious and unscrupulous, and one which might be easily abused. The power should not be conferred unless the mayor was restricted to one term, no matter what the length of that term might be.

With very great respect,

THOS. F. GILROY.

(Dictated.)

Office of Seth Low, 30 East Sixty-fourth street, New York,

December 6, 1899.

Hon. Frank Moss, Counsel of the Assembly Investigating Committee:

Dear Sir—It gives me pleasure to reply to your inquiries of November 22d. The government problem presented by Greater New York is an exceedingly difficult one. It is easy enough to centralize everything, and it is equally easy to de-centralize everything. The problem is to discover how to maintain the proper balance between these two opposing tendencies.

There is one place in the charter where an attempt has been made to leave to each borough a large measure of control. That is in the educational chapter. Upon the face of it, the present condition of affairs in the educational system of the city is a distinct discouragement to the theory of extending the plan of borough management. Looking beneath the surface, however, it appears that this discouragement attaches to only one feature of the situation. The primary causes of the present confusion in the educational system of the city, in my judgment, are three in number.

(1) The board of estimate and apportionment, in making its appropriations for the school system, has so far disregarded the financial scheme of the educational chapter as not to appropriate enough, under the requirements of this chapter, to meet the actual needs of Queens county.

(2) The legislature, in passing the Ahearn law, whereby it fixed minimum salaries for the teachers of the city of New York, instead of making these rates of salary take effect at the beginning of the city's fiscal year (the 1st of January), undertook to allow them to go into effect in the middle of the year. This failure to appreciate the difficulty of starting a new financial scheme at any other time than at the beginning of the city's fiscal year has led to whatever uncertainty there is as to the meaning of the law.

(3) In Brooklyn, the borough board has endeavored to evade the terms of the Ahearn law, in accordance with which the sal-

aries to be paid to teachers involve, in certain cases, the certificate of the superintendents.

This statement of facts, which I believe to be correct, will indicate that the present financial confusion in the educational affairs of the city is due in part to unintelligent action by the board of estimate; in part to careless legislation by the legislature; and in part to an endeavor on the part of the borough board of Brooklyn to evade one of the requirements of the Ahearn law. It is apparent, therefore, that one may not infer from this state of facts that it is necessarily a mistake to give to the boroughs such powers as they may properly exercise.

It will prove advantageous, I think, to give to the localities as large a voice as possible in the management of purely local affairs. I apprehend, however, that the financial question will be decisive as to the limits of such distribution of powers. It is not conceivable that the city's purse should be at the unrestrained service of the localities. The attempt to divide between the boroughs the general educational fund upon the lines adopted by the state in its division of the state educational fund has not been wholly satisfactory. Possibly this provision may be improved by amendment. On the other hand, any attempt to divide the resources of the city between the boroughs through the arbitrary action of the board of estimate would, in my judgment, develop even greater difficulties. Nothing could be devised more likely to develop borough jealousies and to substitute for the common interests the conflicts of localities. Uuless some satisfactory automatic plan can be devised, therefore, for the distribution of the funds, I apprehend that the centralized control of all expenditures is a necessity of consolidation. It would be easy to apportion the funds upon the basis of the valuations of the separate boroughs; but to do that would be to abandon the benefits to be reasonably expected, in the long run, from consolidation. The purpose of consolidation was to bring the strength of the whole to bear upon the problems that concern the city at large, and also to place this strength behind the development of all parts of the city. It would be in the highest degree un-

wise, therefore, from my point of view, to attempt to limit by the assessed values of a borough the amount of money to be spent in the borough.

To be as definite as possible, I incline to think, answering your first question as to whether it is better to centralize more, or to de-centralize more, that it would be well somewhat to increase the powers of the borough presidents. I think the borough president might well have a seat and a vote in the municipal assembly. I think he should also be given a vote in the board of public improvements, as to all matters for which his borough is liable to be taxed. It is possible that the presidents of the boroughs of Manhattan and Brooklyn might advantageously be substituted on the board of estimate and apportionment for the corporation counsel and the president of the department of taxes and assessments.

I do not see how the borough boards are to be given more power than they now have, without conflicting with the centralized control of the city's work; and such centralized control I believe to be in the general interest and theoretically sound. The problem is, as it strikes me, not so much to give to the boroughs the control of the work itself, as the power to set in motion the city's machinery when it ought to be set in motion. It was hoped that this would be accomplished through the influence of the local boards as at present constituted. I am not clear that the failure to accomplish that result is due to any failure in the system. It seems to me much more likely to be due to the fact that the city enjoys a government of its own only in name. The city administration holds itself responsible to an outside organization which, by the admission of its chief, is conducted in the interest of its managers. I do not believe that any change in the charter will produce better results until the people insist upon it that the government of the city shall be responsible to them, and not to an organization which the people cannot reach; nor even to the head of an organization who delegates his powers to others while he himself enjoys himself abroad.

As to the responsibility of the mayor, I believe that the charter should be amended by permitting the mayor to be re-elected. I should not shorten the mayor's term, for there are very great advantages in not exposing the city to too frequent changes in its administration. If elections for mayor come every two years, there is a danger that the people will not take them seriously enough. If they come only once in four years, there is little danger of any failure of the public interest.

I should amend the charter by declaring in terms that the mayor is responsible at all times for all the administrative officers of the city. In order that he may really be so, I should remove the restrictions on his power to remove, and I should have all such offices filled without term. Under such provisions, I think no mayor could afford to neglect the opportunity given to him, by his membership in the board of public improvements, to keep himself informed as to all the great questions connected with the material work of the city.

If borough school boards are to be maintained, I think they should be appointed, as now, by the mayor, and that the central board should be representative of them, as now. The only practicable alternative to this system, in my judgement, is a board of education for the whole city, without regard to boroughs.

Respectfully,

SETH LOW.

William Berri, Brooklyn, N. Y.

BROOKYLN, N. Y., *December* 6, 1899.

FRANK MOSS, Esq., New York City, N. Y.

My Dear Sir—I beg to acknowledge receipt of yours of December 4th, concerning the charter amendments for the city of New York. I presume that you have made the same request for another which is an excellent idea, but the question of amendments to the charter is such a broad one that it is exceedingly difficult in a sentence to dismiss it, but I will give you my general idea. It is in direct opposition to centralizing the power in the old

city of New York which certainly three-fourths of the time must be in Tammany's hands.

This power can be broken to a very large extent by giving to each of the boroughs full representation in the board of apportionment and immediate control of all moneys expended within their district. The board of apportionment should be elective and representing all of the boroughs. It is not only possible but probable that the opposition would thus always have representation in the board of apportionment and in the expenditure of the moneys sufficient to check wrong doing to a very great extent.

In all communities the power that spends the money is the real power, and amendments in this one particular in the charter would work wonders. It is far more important than all other questions combined in my opinion, and has the greatest possible bearing upon election day results as practical politicians understand.

Your very truly,

WILLIAM BERRI.

Dillon & Hubbard, Attorneys and Counsellors at Law, Western Union Building, 195 Broadway. John F. Dillon, Harry Hubbard, John M. Dillon, David D. Duncan, George S. Clay, Clarence B. Mitchell, Lucius Lamar. Telephone 1495 Cortlandt.

NEW YORK, *November* 25, 1899.

Hon. FRANK MOSS, Counsel to Assembly Investigating Committee, 93–99 Nassau street, New York.

Dear Sir—On my return from the Court of Appeals this morning, I find your favor of the 22nd inst. inquiring, in substance, whether in my opinion the charter of Greater New York should be amended by abolishing the borough presidents or by enlarging their powers and duties. The present charter of New York is framed upon the principle that Greater New York, so-called is one consolidated, undivided city, and not a federation of boroughs. The charter, properly interpreted, gives a very large measure of local government. The general legislative power of the city is exclusively vested in the municipal assembly, and the

charter is based upon the theory that it would be unwise to partition the legislative power among different boroughs or localities. In my judgment these principles are sound and ought to be adhered to in any amendments of the charter which experience dictates to be necessary or expedient. Considering that the population of New York is about three million and a half, and the large territory embraced within its limits separated by bays and water courses, I am of opinion that it cannot be conveniently governed administratively from a common centre, and therefore the division of the municipal boroughs for administrative purposes is absolutely essential, and certain local matters may be well committed to an officer of the borough who may be called, as at present, the "Borough President." I cannot speak from knowledge of the actual workings of the office of the existing borough presidents, but on principles, if experience shows that greater powers could be usefully exercised by those officers, I think they might be wisely conferred, subject to two limitations—first, that they shall not share in the legislative power of the city, and second, that they shall not have the right to put their hands unchecked into the public treasury, or what is the same thing, create debt, which has to be paid from the corporate revenues.

Very truly yours,

JOHN F. DILLON."

Charles A. Schieren & Co., tanners, belt manufacturers, 45-51 Ferry street.

NEW YORK, *December* 5, 1899.

Mr. FRANK MOSS, 93 Nassau street, New York City:

Dear sir—In compliance with your request to express my opinion in reference to the charter and the amendments to be made, I desire to state, that as chairman of the commerce commission of New York, which has been invstigating for the past two years the commercial interests of New York, I have been very busy and could not pay as much attention to other local affairs as formerly.

To my mind, the new charter is an excellent instrument, and was intended to give the new city of New York, as near as possible, home rule. There may be amendments made and improvements, which the operation for the past two years have been found necessary, but it may be wise to go slow, because it would be a mistake to have the city again dependent upon the legislature for all her local improvements.

Good government rests with the people, and it is wihin their power to choose between good, indifferent and bad government. This citizens of New York now have it within their power to have home rule and a good government, and it is not the fault of the charter if they don't get it.

From my experience as a public official, it is not wise to tamper with charters, simply because there has been a change of administration. It will unduly disturb the present order of things, and a new legislature may undo what the former one has passed. It is a bad precedent and should be avoided if possible.

Very truly yours,
CHAS. A. SCHIEREN.

W. A. & A. M. White, No. 130 Water street. P. O. Address Box 619.

NEW YORK, *December* 8, 1899.

Hon. FRANK MOSS, 93 Nassau street, New York:

Dear Sir—Your favor of the 4th instant inviting me to make suggestions concerning charter amendments was duly received and has had careful consideration.

Replying to same, I venture to suggest that section 471 should be amended to read something as follows:

Section 471. It shall not be lawful for the commissioner of water supply to enter into any contract whatever with any person or corporation engaged in the business of supplying or selling water for private or public use and consumption unless preliminary to the execution of the contract the assent of the

board of public improvements and the assent of the board of estimate and apportionment, after submission to them of the proposed contract in all its details, shall be given by resolution to the execution of said contract as submitted and unless the contract shall be approved and signed by the mayor and comptroller, and it shall not be lawful for the said city of New York or for any department thereof to make and contract touching or concerning the public water supply, except as provided in this section and no such contract shall be made for a term longer than four (4) years or for an amount exceeding $———— per year, to be paid to any one company."

Although not in the nature of a charter amendment, permit me to repeat the suggestion which I made before the Committee, that a board of three (3) expert engineers should be appointed by the Governor of the state to investigate and report upon the water supply of the state of New York. Such surveys have already been made by Massachusetts and New Jersey and have been found of large value.

Let me add in a general way that I am cordially in favor of a single board in place of the two boards of the municipal assembly, and am inclined to abolish the boards of local improvements and to give their powers to the borough presidents, so far as practicable.

Yours respectfully,

ALFRED T. WHITE.

The City of New York,

Office of

President of the Borough of the Bronx,

Municipal Building, Croton Park.

President's Office.

DECEMBER 5, 1899.

FRANK MOSS, Esq., Counsel Assembly Investigating Committee:

Dear Sir—Under date of November 21st last, you wrote me saying that one of the most important questions that will arise

in the next session of the Legislature is, "What shall be done with the borough presidents?"

You add:

It may not be possible to take all the oral testimony on this subject that we would like to; for our term of action is nearing a close; so I will invite you to favor us with your views on this important question and will ask you in addition to answer these specific questions:

1. Should the division of the city and the boroughs be continued or discontinued, and why?

2. Should borough local boards be continued or discontinued, and why?

3. Should borough presidents be continued or discontinued, and why?

4. In your borough, has the local boards secured or produced any benefit to the borough? If so, what? If not, why not?

5. The same question as to the borough president.

6. About what does your borough pay into the city treasury annually by taxation?

7. What public improvements, if any, has your borough secured?

8. Are there any former towns or villages in your borough in which the street cleaning, fire, police and other public services have deteriorated, and if so will you give such particulars as you can, and the reason of such deterioration?

9. Have you any plan by which the boroughs outside of Manhattan can secure a better public service and a better proportion of public improvements?

10. Do the outlying districts of Queens and Richmond require the elaborate departments which are needed in Manhattan, Brooklyn and Bronx?

11. Are deputy commissioners of the various departments needed in the different boroughs?

12. Have you as borough president any appreciable influence upon the action of any of the city departments which operate in your borough?

I answer these questions as follows:

First—Should the division of the city and the boroughs be continued or discontinued, and why?

Answer—If Greater New York is to be retained; then certainly the borough divisions should be retained. The abolition of the boroughs as such would mean, I take it, the abolition of all administration by localities and the absolute centralization of power, which I do not believe in. The distinguished men who framed the charter led the people to believe that the principle of home rule was recognized in that instrument. In the report of the subcommittee under date of December 24, 1896, submitting the charter as then proposed, the subcommittee said:

"Having thus effected the consolidation of the several municipalities into one city with a central government, supreme upon all subjects, it remained to provide for that measure of home rule essential to the convenience and development of the various sections of the city, and to the care and attention due to each neighborhood and community."

This subcommittee said also:

"At the same time the committee was profoundly sensible of the force of the argument in favor of a certain local control, especially in the matter of local improvements."

In its communication to the legislature under date of February 18, 1897, the full commission said under the head of "Protection to Local Interests:"

"These local boards give the neighborhood as such a voice by which it can speak in relation to matters of local concern, and especially as to which are technically known as local improvements, that is to say, improvements that are to be paid for by assessment for benefit."

The commission was either right or it was wrong in its professed idea of protection to local interests. If it was wrong then the whole theory of the charter as far as local improvements are concerned must be wrong. The home rule or borough rule that we have in practice under the charter is only the remotest shadow of the real article. Being a believer in home rule, and

deeming it not only possible to have it, but considering it to be for the greatest good of the greatest number when judiciously applied, I favor the retention of the borough system just as long as the greater city is to remain intact. I call your attention particularly to the intention of the subcommittee who drafted the charter:

"To provide for that measure of home rule essential to the convenience and development of the various sections of the city, and to the care and attention due to each neighborhood and community."

The fact is that practically speaking no home rule was provided for.

Second—Should borough local boards be continued or discontinued, and why?

Answer—There should be borough boards of some kind if boroughs are to remain, for the reason that officers elected locally by the people will know and appreciate their wants, better than officials unknown to the people, and who can be hardly expected to recognize readily the distinctive needs of separate localities. Otherwise, citizens interested in local improvements would either have to wend their way to and from the city hall, or else, let public affairs take care of themselves, discouraging the live interest that a feeling of local independence always inspires. Under the charter the regulating and grading, of say, only one block, before it can become the subject of a contract must be authorized by ordinance of the municipal assembly approved by the mayor. This is irrespective of the "recommendation" in the first place of the local board and in the second place of the board of public improvements. I fail to see how a councilman or alderman from Brooklyn, Queens or Richmond can vote with intelligence upon an ordinance proposing to regulate and grade, say, Palisade avenue in the Bronx, any more than a councilman or alderman from the Bronx can vote intelligently upon a similar measure affecting one of the other boroughs. There might be some justification for such proceeding if the money to pay for the improvement were to come out of the proceeds of

taxation; but as this kind of improvement is paid for by the abutting and contiguous property owners there seems no good excuse whatever for taking the authorization out of the hands of the purely local or borough authorities.

Third—Should borough presidents be continued or discontinued, and why?

Answer—I answer this by saying that some borough officer clothed with ample powers relative to local improvements and local matters generally should be provided for. If the office of the borough president is to be retained, then the office should be invested with more power. If not, then I think the office should be abolished and the pretence of a modicum of home rule discarded.

If I consulted simply my personal feelings, I think I would recommend absolute and hidebound centralization, as a short term of administration of that sort would stir the people to such a realization of their wants and rights and the way to obtain them that the theory of centralization would be buried for all time. Taxation without representation is what drove the American colonies into revolt, and if that principle was good more than a century ago, I think it is good yet, in its application to the question of local administration. The term "local improvements" is often lightly spoken of, or misunderstood. To those having any knowledge of municipal affairs no explanation, of course, is necessary. It is well, perhaps, to point out that before we can have grand boulevards, viaducts, modern bridges, or any of the improvements that follow in the path of advanced civilization we must first regulate and grade the soil, pave the surface, build drains and sewers and thus invite residential settlement. The more energy put into this important feature of municipal development, consistent with natural demands, the more prosperous does the locality become and the greater consequently becomes its taxable values and the income resources of the city.

Not a single new grading contract under the charter.—In my report to Mayor Van Wyck for the year 1898, under date of

January 30, 1899, I said, referring to the fact that no assessable improvements had been authorized during the entire year—at least in the borough of the Bronx—that the question of the debt limit was the reason assigned for the fact that no assessable work had reached this stage. I was always, and am now, of the opinion that these improvements which are an indispensable part of the city's progress and which are not paid for by taxation should have been excluded in considering the liabilities of the city. Another year has nearly passed and at this writing the first regulating and grading contract has to be let. Lovers of the charter as it stands can make as many excuses as they like and palliate the situation as they may; but the fact remains that after practically two years' operation of the act, not a single street regulating and grading contract has been let in the third largest borough of the five comprising the greater city. This condition cannot be charged to the delinquency of the borough officials, or as far as that is concerned, to any official. Those who decry local autonomy of any kind have food for reflection in this statement.

Anticipating complications such as have arisen under the charter, an unusually large number of contracts were let in 1897 by the commissioner of street improvements of the Twenty-third and Twenty-fourth wards. Had not this been done, street improvement in the Bronx would have received a much worse black eye than has been inflicted on it directly and indirectly under the charter. In fact the department of highways would have found that it had practically nothing to do except to keep in repair the streets and highways. The comptroller said recently that:

"The laws that regulate the financial affairs of the city should recognize the fact that an obligation of which neither principal nor interest is to be paid finally from the proceeds of taxation is not properly a charge against the credit or borrowing capacity of the corporation. Water front improvements, water works and rapid transit are investments of the funds of the municipality where the property created is pledged to return principal and in-

terest, and therefore, the initial outlay is not a charge upon the general revenue of the city and should not be classed as a debt."

I agree with the comptroller and add that in my opinion street improvements are just as important as any mentioned in the quotation and should be exempt at all times from application of the question of the city's debt limit.

The comptroller is also quoted as saying:

"In a private business an investment that yields a profitable revenue is never classified as a debt. The same system should apply to business affairs of a city."

I am of the same opinion as the comptroller, and I have always maintained that at least in the case of public contracts, where there is a liability there must be also an asset. Street or local improvements have afforded profitable revenue to the city in the first place by permitting increased tax valuations, and in the second place, allowing a very respectable income from a 7 per cent. interest rate charged on assessments not promptly paid.

As to the asset against the liability in street improvement it is only necessary to say that a lien exists against each particular piece of property affected by a local assesment and until the particular assessment is paid, the lien remains, accumulating about twice as much interest as the city has agreed to pay for the borrowed money in the first place.

Some persons would retard public works on the ground that all assessments are not paid promptly; but this objection in the light of practical experience should be dismissed with very little consideration. In every community assessments to some extent will be slow in collection, but, in the long run, as I have stated, the municipality is, as a matter of fact, the financial gainer from the higher interest imposed in consequence. The penalty for not paying assessments promptly is, without any other consideration, an incentive to those who can, to pay them as they become due. The commercial world would fall quickly into chaos if anything like a universal effort were made to have all business done on

a cash basis. It would be impossible, and it would be just as impossible in applying the effort to local improvements.

Reverting to the declaration of the charter commission to the Legislature in 1897 that local boards "give the neighborhood a voice by which it can speak in relation to matters of local concern, etc.," you will permit me to repeat what I said to Mayor Van Wyck in my report to him of January 30, 1899, as follows:

"I have no hesitation in saying that as far as the exercise of any substantial power is concerned the 'voice' amounts to nothing. Any number of citizens interested in an improvement in the absence of such provision would be entitled in general principles to have just as much 'voice' in matters of the kind as the charter gives to local representatives."

The commission added in the same paragraph:

"The procedure adopted is single and involves no delay other than that which is essential for the thorough investigation by the board of public improvements of each proposition."

My comment on that to the mayor was as follows:

"Experience of a year has convinced me that it is anything but simple, in the sense intended seemingly by the framers of the charter. The method in this branch of dealing with a petition, stated briefly, is as follows: It is submitted to a local board, and if the board recommends the petition a resolution accordingly is transmitted to the board of public improvements. If it is a proposed regulating and grading contract, the matter is referred to the commissioner of highways for report. The commissioner of highways refers the subject to his deputy in the borough of the Bronx (the borough from which it originates); the deputy commissioner refers the subject to his chief engineer, and then it travels back over the same ground, reaching the board of public improvements with a report for or against this proposed improvement, with a statement of the estimated cost of the work and the assessed value of the real estate within the probable area of assessment. The procedure is similar in other cases. The handling and rehandling of papers and the clerical and other labor in-

volved under this system is a consideration of some importance in regarding the so-called simplicity."

I believe that there should be only one method of procedure, and the method I pursue as borough president in this respect demands or requests nothing by courtesy. There is nothing in the charter which gives a borough president or a local board the right to demand an estimate from any department. No matter how a department head or his deputy might be willing to furnish such information, the department head, deputy or engineer is not under the control of the borough authorities; therefore, it is entirely discretionary with the department head or other representatives whether the information shall be furnished. This report of an engineer against any particular recommendation of a local board made through a department head to the board of public improvements will invariably kill it. Why not then supply the local board or chief borough officer in the first place with an engineer if anything like the present system is to be preserved and save the delay and expense that are now attendant upon such matters.

In my report to the mayor I said:

"As the charter now stands a local board is required to act upon a petition without any knowledge of the cost or without any official knowledge whatever upon the subject, except the mere petition itself. The charter provisions give a local board no means of ascertaining the question of cost, yet, in a measure, it is practically mandatory on a local board to either 'recommend' or reject. It requires little analysis to see that there is no real value to such a 'recommendation' other than it is clothed in official garb. I appreciated this anomalous situation in the very beginning of the operation of the charter, and I requested from the Board of Estimate and Apportionment an appropriation for the year 1898 for an engineering staff of $16,820, or a total appropriation, in all, of $36,820. I did not see how a local board could be expected to 'recommend' an improvement, when it would be in no position to know the cost, the topographical or other conditions."

The appropriation was denied.

A complex and expensive system—I should, perhaps, relate more fully the procedure required, for instance, on a proposed regulating and grading contract. After being advertised, and passed upon or recommended by a local board to the board of public improvements and going thence to the Commissioner of Highways for report, to his borough deputy, to the chief engineer of the borough and returning through the same channel to the board of public improvements, it goes thereafter to the municipal assembly. Here more red tape is encountered. There are references to committees and after all that, it requires a three-fourths vote of either house to pass any such ordinance. The very same matter which has been battered almost into insensibility by references and cross-references, the majority of which are superficial and which evolve no consideration whatever of the subject matter, finally goes to the mayor for approval, and if there is nothing technically wrong upon the face of the ordinance it will come out unscathed, to go through the final process of being let by contract, which calls for approval as to form by the Corporation Counsel as well as the Comptroller's indorsement to the effect that there remains unexpended and unapplied a balance of the fund applicable thereto sufficient to pay the estimated expense of executing such contract. This mode of procedure, involving much expense to the city and dissatisfaction to the public could be avoided by a practical application of the principle of Home Rule. Even the borough as a geographical division is not interested in any particular improvement of the character mentioned. The property owners on the line of the improvement and those adjacent thereto are the only people immediately interested. They have to pay the entire cost. No part is paid by taxation. Why, then, should the people's home representatives be denied the right of doing anything more than "recommending?"

Fourth. In your borough has the local boards secured or produced any benefit to the borough? If so, what? If not, why not?

Answer—My answer to this question is largely embraced in what I have already written; but answering it specifically, it is my opinion that the local boards of this borough have done as much as the law permitted them. Any lack of benefit the borough has suffered, is not chargeable in any way to the local boards. The local boards, as such, cannot be held responsible for the set-back public improvements has received in this borough, for the simple reason that they acted on every petition presented to them in the form prescribed by law and as a matter of fact have given consideration to matters of purely local interest, such as the laying of water mains, gas mains, and the erection of lamps which the framers of the charter considered too important to even allow officials elected by the people "to recommend." In pursuance of the shadow of power vested in them by the law, the local boards of the borough of the Bronx have recommended ninety-one petitions for regulating and grading; ninety petitions for paving and repaving; ninety-five petitions for sewers; fifty-two petitions for opening streets and avenues, and nearly six hundred miscellaneous matters embracing the laying of water and gas mains, the erection of lamp posts, electric lighting, flagging sidewalks and fencing vacant lots.

Local officials proscribed—One of the anomalous conditions prevailing is that in a change of street lines or in the adoption of a lamp for any part of new territory the charter gives the local boards no power whatever. It does not even say that they can "recommend." Yet, the body who adopts a map consists of appointed heads of departments, who have distinctively other duties to perform and who officially cannot be expected to have any interest or in fact knowledge sufficient to pass intelligent judgment on such matters, and who have to depend absolutely on the report of an engineer. Local officials who know, or are at least in a good position to learn all about the situation, are debarred from taking any action. The commissioner of public buildings, lighting and supplies by virtue of his office has a voice in the board of public improvements in all matters that come before that board.

He has a voice in regard to street lines or grades in the borough of the Bronx as in other boroughs, which is denied to the local board. How a head of such a department can be expected to have superior knowledge in a matter of this kind I do not know. I am speaking, of course, impersonally. Yet, the illustration might be stretched.

Fifth. The same question as to the borough president.

Answer.—I think I have answered this question. I might, however, say that of course the influence of borough presidents in public affairs is not what it should be for the simple reason that they have little or no power. They are even denied a vote in the board of public improvements on matters affecting the city at large. Sometimes they are invited to vote on such matters by way of courtesy, but why should there be any courtesy of this kind about it? The law should give them a clear right to do this or that, or not to do it.

In view of the fact that all borough presidents are elected by the whole people I believe that they should have a board in which all of them are members, the right to vote on questions affecting the entire city, and I believe that that is a fair construction to put upon the law as it now exists, fully taking into consideration the provision which says the "No president of a borough shall have a vote in said board except upon matters relating exclusively to the borough of which he is president."

This means, I take it, that on a matter relating to one borough only the president of that borough should have the right to vote. As the practice is now, in a matter affecting his borough, such as a bridge, the president of each of the two boroughs is permitted no voice except by "courtesy."

I think if this board is to be retained borough presidents should have the right to vote on all matters affecting the entire city. The incongruity of the charter provisions is well exemplified in the constitution of this board. The mayor, the corporation counsel, the comptroller, are members, yet the law says they shall not be counted as members of the board for the purpose of ascertaining if a quorum is present, just like the borough presidents. The

mayor is made in a degree a legislator as well as an executive. There is no more reason for this than for making the governor of the state a member of the senate.

With a substantial degree of home rule for localities there need not be much concern about the composition of such boards.

Sixth. About what does your borough pay into the city treasury annually by taxation?

The tax levy for 1899 will amount to about $3,250,000. The borough will pay in current assessments and arrears about $2,000,000, making a total approximately of $5,250,000. An idea of how the borough of the Bronx has advanced as to tax values may be obtained from the fact that ten years ago the assessed valuation was $39,764,468. The total real estate valuation now is $123,702,030. Allowing say a valuation of $20,000,000 for the new territory east of the Bronx river a most substantial increase in 10 years is noticeable.

Seventh. What public improvements, if any, has your borough secured?

Answer. I have stated that not one contract has been made under the charter up to this time for regulating or grading a street in this borough. Not one has been made for paving or repaving. I wish to be considered as making no reflection upon any official or officials. The fault lies wholly with the circumlocution of the charter and the opportunity it furnishes for delay, deliberate, or otherwise. The commissioner of highways and the commissioner of sewers have not been only willing but anxious to advance local improvements; yet, they can't override the charter. Sewer contracts at an estimated cost of $210,224 have been initiated and let under the charter in this borough. Sewer construction, under an opinion of the corporation counsel, does not need the authorization of the municipal assembly, while regulating, grading, and paving does. This fact may explain why regulating, grading and paving contracts have not materialized.

The charter has put our borough in a sense two years behind the time. Tax values and taxes have gone up, but improvements under the charter we have had practically none.

Eighth—Are there any former towns or villages in your borough in which the street cleaning, fire, police and other services have deteriorated; and if so, will you give such particulars as you can and the reason of such deterioration?

Answer—As the Bronx borough was a part of the old city of New York, there has been no noticeable change in method of either the police, fire or street cleaning department. It is my opinion that these departments are now administered as efficiently as they ever were.

Ninth—Have you any plan by which the boroughs outside of Manhattan can secure a better public service and a better proportion of public improvements?

Answer—It is my opinion, as I think I have already indicated, that public improvements should be controlled absolutely by local authorities.

An illustration in support of that opinion is the fact that the parks and parkways in the borough of the Bronx never received as much consideration and attention as they have during the past two years. I consider this condition due primarily to the fact of having a park commissioner with exclusive administrative jurisdiction in the borough.

As far as local improvements are concerned, I don't know any better plan than the one which prevailed in the twenty-third and twenty-fourth wards prior to the enactment of the charter. It was due to the operations of this department that this part of the city which lay dormant for many years bounded into public notice and invited a population that is now larger than any city in the State north of the city line, except one.

With such an elective commissioner in each borough, there would be no necessity for a borough president unless it should be proposed to make the borough president mayor of the borough. Objection has been made to elective officers with administrative duties on the ground that they would not be responsible to the mayor. I answer that objection by saying that they would be responsible to the people and that carries with it responsibility to the mayor. The former commissioner of street improvements

of the twenty-third and twenty-fourth wards (borough of the Bronx) although elected was like appointive heads, and as appointive heads are to-day liable to removal by the mayor upon charges preferred and after opportunity to be heard, subject, however, before such removal to be approved by the Governor.

Power of removal.—I may say here that I do not believe in the doctrine of giving absolute power of removal of a department head to the chief executive officer or anybody else. The giving of such power has a tendency to destroy the independence and lessen the influence and usefulness of the appointee. Without some protection he can be always made a target of assault for those who cannot use or control him. The tendency of the law is to assure permanency of employment in the public service. If the ordinary clerk or humblest employe can interpose the shield of the law as a protection from summary removal, why should not the department head who is responsible for the proper conduct of the department employes and responsible also to the end of securing an honest return for the city's expenditure have at least that protection that the law gives to a porter or a janitor? Such an official, in my judgment, should be removed only for substantial cause, after charges made and a hearing had.

Tenth.—Do the outlying districts of Queens and Richmond require the elaborate departments which are needed in Manhattan, Brooklyn and Bronx?

Answer—I prefer that the local authorities of these boroughs should answer this question.

Eleventh—Are deputy commissioners of the various departments needed in the different boroughs?

Answer—If the various departments are to be continued, I presume deputies will be required.

Twelfth—Have you, as borough president, any appreciable influence upon the action of any of the city departments which operates in your borough?

Answer—I have not sought to influence the action of any of the city departments operating in this borough; for the very simple reason that the law neither directly nor indirectly gives me the

slightest authority to influence their action. Each department head is responsible for his own department, and I think any interference with him without authority would be impertinence. I wish, at the same time, to say that I have experienced courtesy at all times from department officials. In this connection, I desire to add that I do not believe in a borough president being made a member, in any respect, of the central legislative body, or municipal assembly. The action of the borough president, or other borough official, would always speak for itself. The local legislature should be able to transact its own business without advice or assistance, and to argue to the contrary would be to say that we could not expect to get in the big city of New York a local legislature of common intelligence. I believe that borough presidents should be members of the board of estimate and apportionment, so that each borough would have a voice in the action of this board.

I am emphatically of the opinion that upon all questions of direct local assessment, large or small, borough boards should have absolute power, the action of the boards to be so regulated as to give every property owner within the probable area of assessment an opportunity to be heard.

Speaking generally on the main subject, I desire to say that a large measure of home rule by localities would create a friendly rivalry in the different boroughs to accomplish the greatest good for each community, and that it would do anything, except, as it has been asserted, create sectionalism and jealousy. Residents of Manhattan never grumbled at the prosperity of the Bronx. Neither were the people of the Bronx, at any time, jealous of the growing prosperity of Manhattan. Nor, to-day, would they be jealous if Brooklyn, Queens or Richmond took herculean steps forward. The borough of the Bronx asks for nothing that it is not willing to concede to every other borough. It seeks no favor. It does want home rule, and I feel confident it would welcome municipal ownership of public franchises.

In expressing my opinion to the mayor that certain exclusive authority should be vested in local or borough officials, I wrote in conclusion as follows:

"The chief magistrate of the city, with all his vast responsibilities otherwise, is now required to give his official attention to matters of minor importance that might, I think, be attended to by the borough heads. For instance, every proposed ordinance providing for the erection of signs, sign posts, awnings, awning posts, horse troughs, telegraph poles, etc., in the language of the charter, 'shall, before it takes effect, be presented, duly certified, to the mayor for his approval.' It occurs to me that the time of the mayor of the city of New York is too valuable to have any part of it constantly taken up with the consideration of matters of such trifling consequence, as far as the general community are concerned."

Respectfully submitted,

LOUIS F. HAFFEN, President.

25 West Forty-seventh Street, December 9, 1899.

Dear Mr. Moss—In reply to your favor of December 5th, my views regarding the revisions of the charter are fully expressed, in general by the action of the Chamber of Commerce, viz.: Empower the Governor to appoint a commission of New York citizens (not members of the legislature), with full powers to send for persons and papers and give such a commission one year to report. Of course, I am opposed to two municipal legislative bodies, to the present system of taxation, which you so fully exposed in your committee, and generally to secure more economy in municipal administration.

Some important safe-guards, in the interest of the public welfare should be introduced in the office of district attorney. I think the whole charter needs most careful revision, which can only be determined by study in the light of experience of its working.

The commission should be paid; should have full powers to employ legal counsel, secretaries, stenographers, etc., etc. We

don't want to tinker the charter, but to get it in such shape as will last for one-quarter of a century. You could help very much in such revision.

Would have but one head for the police. You know well enough about this department. We want some provision for minority representation. Honest men seem always to be in the minority.

Yours truly,
CHAS. STEWART SMITH.

The Greenwich Savings Bank (Incorporated 1833), 246 and 248 Sixth Avenue, Southeast Corner Sixteenth Street.
John Harsen Rhoades, President; James Quinlan, Treasurer. K. L. G.

NEW YORK, *December* 8, 1899.

Mr. FRANK MOSS, Counsel for Assembly Investigating Committee, 93 Nassau Street, New York.

My Dear Sir—I have your esteemed favor of the 5th inst., stating that you would be glad to receive from me any suggestions I may care to make concerning charter amendments and other remedial legislation for the city of New York.

In answer I would say that I have not followed this subject closely enough to be able to talk intelligently about the question of what amendments are really needed and required, unless such proposed amendments were brought to my attention, and, through them, I could understand their nature and bearing; but there is one thing that I feel cannot be talked about too much, and that is the effort being made to obtain the right to borrow money to an enormous extent for the development of the city, viz., building tunnels, bridges, docks, underground railroad, etc., etc.

Not many years ago, those who held the securities of this city, especially the officers of savings banks, felt relieved and gratified to find that a 10 per cent. debt limit was placed upon all cities of the first class in the State. Then, so far as New York city was concerned, came the Consolidation Act, by which the new city assumed the liabilities of the city of Brooklyn. This city had a

very large debt, the valuations of property had been raised as high as the assessors dared to go, and the rate of taxation made excessive. I felt prior to that time that the day was not far distant when that city would be in financial straits. All of this debt was saddled on to the borough of Manhattan, together with millions of dollars of hastily created debt prior to consolidation.

Then the building of an underground railroad was contemplated, and it was found that the Greater City had about reached its debt limit, and that moneys in amounts sufficient to build the road could not be borrowed.

Then commenced the breaking-down process, and the wise provision of a 10 per cent. debt limit was, by the votes of the people at the last election, weakened through their giving consent to separate the city and the county debt.

Then came the effort to saddle upon the city a supply of water through what is called the Ramapo combination, and if not the Ramapo combination, then in all probability a hue and cry will be raised for an additional supply of water in other directions, requiring the spending of a very large sum of money, which, from the present outlook, could be raised only by some such process as is being agitated in regard to the docks.

Then comes the suggestion of the Comptroller that authority be given the city to borrow upon its dock property, on the ground that this property pays a good rate of interest, and that the acquisition of the entire water front would not only pay for itself, but the surplus revenues would create a sinking fund to wipe out the debt, when any one who is familiar with operations in this direction, and any one who chooses to investigate the cost of the property obtained by the city from West Eleventh street to Gansevoort market, and for the cost of building the piers, will see at once that the annual return to the city is less than sufficient to pay the interest on the outlay. And what is true of this development, of necessity must be true of an attempt to purchase private property which can only be obtained through condemnation proceedings, at an enormous cost to the city above its real value, and then all the improvements to be made to be placed in the

hands of the dock department, and the outlay far in excess of what the work should be done for at the hands of private parties.

And so, step by step, the barriers which have been built up to protect the bondholder are being broken down and lessened; and if this sort of thing is to continue there is no question in my mind whatever that the time will come when the credit of the city will be seriously impaired and the city loaded with an enormous debt.

Already the valuations of real estate have been increased enormously to cover the needs of the Greater New York, while the expenditures of the government seem to be, to say the least, most extravagant. As a savings bank officer, I therefore feel seriously the danger attendant upon the drift of the public mind at the present moment, and it is high time that a note of warning was sounded in this direction.

I have the honor to remain, very sincerely,

JOHN HARSEN RHOADES.

53 East Eighty-seventh Street, December 11, 1899.

FRANK MOSS, Esq., Counsel to Mazet Committee, 93 Nassau Street, City:

Dear Sir—Replying to your inquiry of the 4th inst., I would say that my experience in the municipal assembly led me to believe that amendments to the charter were desirable in order to bring about the following results:

1. That there should be only one branch of the municipal assembly. This, in view of the highly centralized executive departments, should be a thoroughly representative body. Each member should represent a certain district, and should be elected for a short term, certainly not more than two years, preferably one year.

2. The power to pass building laws should either be restored to the State legislature, or its exercise should be more carefully guarded, so that ordinances in the form of amendments to the Building Code, or affecting matters relating to buildings, could

not be passed until a certain number of days after introduction and publication in the City Record.

3. The municipal assembly should not be required to pass upon annually recurring bond issues. By this I mean such as the board of estimate and apportionment were, under the old charter, authorized to issue without the sanction of the Legislature in each case. Other bond issues should be acted upon by the municipal assembly as at present.

4. The granting of permits for news stands, bootblack stands, trucks, etc., and of business of this nature, should be placed in one of the bureaus of the executive departments. This business is transacted by the municipal assembly, without inquiry, upon the recommendation of some individual member. The fact that so many ordinances of this nature are passed without inquiry has a demoralizing effect upon the procedure of the body as a whole.

I have the honor to remain, yours very respectfully,

HOMER FOLKS.

Law Office of Sherman & Stanton, 59 Wall Street, Stephen B. Stanton, P. Tecumseh Sherman. Telephone No. 1399 Broad. Cable Address "Aegium," New York.

NEW YORK, *July* 24, 1899.

Hon. FRANK MOSS, 93 Nassau Street.

Dear Sir.—Yours of the 17th inst., asking suggestions as to legislation is received. I presume that you desire from me suggestions as to changes in the municipal assembly.

I think that the rule as to a three-quarter vote on all financial measures should be abolished. It is the cause of a great deal of harm, and only a very little good.

I believe that the board of estimate and apportionment should have the power to issue bonds to pay all indebtedness that has lawfully accrued; and also to issue bonds authorized by the Legislature expressly; and that the approval of the Assembly should be unnecessary in such cases.

The salaries should be increased (I am not a candidate for re-election), for at present no man can afford to do the work properly for the money. If practical it would be well to make the payment of the salary dependent upon attendance at meetings.

The Assembly should be given the power of amending ordinances coming from the administrative boards. At present it can only veto.

Of course I believe that the council should be abolished at the end of the terms of its members.

Pretty nearly any change in the charter would be an improvement.

Yours very truly,
P. T. SHERMAN.

ARGUMENTS OF THE CITIZENS LOCAL IMPROVEMENT PARTY AND ITS COUNSEL BEFORE THE GREATER NEW YORK COMMISSION IN 1897, FORWARDED BY JAMES L. WELLS.

Address and Argument of the Joint Committee, 23d and 24th Wards, to the Greater New York Commission, January, 1897. Arion Hall, 368-372 Alexander Avenue, New York City.

To the Honorable the Members of the Greater New York Commission—The undersigned, constituting the joint committee of the Citizens' Local Improvement party of the twenty-third and twenty-fourth wards of the city of New York, respectfully represent to your honorable body and declare as follows:

That from the annexation of the territory known as the twenty-third and twenty-fourth wards in 1874 up to 1891, a period of 17 years, the people of that section of the city had been suffering from a defective and extravagant system of public improvements, which not only retarded the progress of the district but imperiled the health of its inhabitants. The supervision and management of its streets, drainage and sewerage had been palpably neglected.

There was improvident waste of the public money. The officers in charge of the public improvements not being directly responsible to the people whose interests were neglected, but being appointees of a central authority which was necessarily ill-informed as to the real condition of affairs, were heedless of the murmurs of discontent or the open complaints of the people until at last in 1889 as many as 1,500 property-owners, representing in the aggregate a property value of over $25,000,000, petitioned the Legislature for relief and demanded that the people of the district have the privilege to elect an officer who should not only initiate but also execute the work of improvements recommended by him. As a result of this demand a special committee was appointed by the Senate to investigate the subject, and after an inquiry extending over six weeks this committee made its report and recommendations to the Legislature of 1890, which report, among other things, states:

"Confronted with these startling facts we are of the opinion that legislative relief becomes an imperative necessity and that the relief prayed for should be substantially granted.

"The absence of essential improvements is a constant menace to the health of this rapidly growing district, fraught with danger to the lives of its residents and detrimental to the material prosperity of the district."

The report concludes as follows:

"It might be advantageous, in view of the local powers conferred, to have the officer elected by the people of the district. A special commissioner and his assistant, both residents of the district, who would give all their time and attention to the duties of the office, would be able to progress the public works thereof and afford the necessary relief."

The popular movement which led to this investigation, resulting in the establishment of the department of street improvements and the election of the late lamented Louis J. Heintz as the first commissioner, was created and guided by this joint committee and the several organizations of which it was the nucleus, and being thus originally responsible for the creation of this system we claim

a special right to be heard in vindicating its principles and policy, and, emboldened by the experience of its practical utility, we respectfully but firmly assert that both in theory and practice this form of local administration of public works and improvements is best adapted to the public needs and most in harmony with the public demands, not only in the proposed borough of the Bronx but in each of the boroughs which is to constitute an integral part of the great new city.

That this department and the system of public improvements which it inaugurated and progressed and which without interruption or variation it has continued up to the present time, has been signally successful in promoting the growth and prosperity of this section of the city, thus vindicating the policy of the Legislature of 1890, which provided for this elective officer, will be readily conceded by the property-owners and residents north of the Harlem river and by every citizen of New York who has followed the history of our development since January, 1891, when the department commenced its official career.

We do not hesitate to assert that within these six years fourfold more improvements have been accomplished, conducted with marked efficiency and economy, than there had been during the 17 years under the defective and extravagant system that prevailed from annexation in 1874 up to 1891 and which, after a long and determined struggle, was abolished by the popular demand and replaced by the present system of an elective officer who is made directly answerable to the people.

With these overwhelming evidences of the beneficial results of this system and of the wisdom of the policy of electing the officer whose administration directly affects the pockets of the people and upon whose sound discretion and watchful supervision depends the economic expenditure of large sums of money chargeable on real estate, the people of these wards have learnd with a feeling bordering on dismay that this system, so fruitful in good results, may be abolished by your proposed charter.

We present an object-lesson in this form of local administration as against a speculative improvement thereon.

The highest and safest test of a theory is found in practical results.

We further contend that as a mere abstract proposition our theory of local administration is the wisest and the most logical. It conforms to the theory of the new constitution which, in separating municipal from State and national elections, designed to guarantee to localities the principle of "home rule" in governmental affairs.

The local officer who, after a full view of the conditions and necessities of his locality, recommends and, with the approval of a central authority, initiates public improvements, should be charged with the actual execution of the work on account of which assessments on property are levied.

To divide responsibility by having one officer or set of officers who are elected by the people recommend and initiate improvements, while the actual supervision and execution of the work is vested in another officer, who is not so elected, and consequently not directly answerable to the people who pay for the improvement, is not only inconsistent and unjust, but it would inevitably lead to the clashing of authority, recriminations between public officials and general confusion.

It is only necessary to hint at the elements of discord which such a system must provoke to bring to every intelligent mind the numerous probabilities of delay and error in needed improvements and the actual defeat of the purposes intended.

Besides it is plain that, in addition to being the most effective and the less cumbersome, our system above all is the most economical.

In the spirit of a broad comprehension of the necessity of a uniform scheme of municipal government we respectfully submit a plan for the local administration of public works and improvements applicable to all the boroughs of the new city, a plan based on experience and sanctioned by the people who have had six years trial of the system, which so far from being destructive of uniformity will maintain a consistent and logical administration of local affairs, and add to the simplicity and symmetry of the entire plan of municipal government.

Before submitting our amendment to your proposed plan of conducting public improvements for localities, it may be proper to recite your provisions on the subject.

Under the provisions of chapter IV of the Greater New York charter, you propose to create "a board of public improvements," including:

1. The department of water supply.
2. The department of highways.
3. The department of street cleaning.
4. The department of sewers.
5. The department of public buildings, lighting and supplies.
6. The department of bridges.

The heads of which departments are, pursuant to the provisions of chapter 5, to be appointed by the mayor.

In each of the five boroughs you propose to create administrative departments, in form and number, adapted to the public convenience.

For the purpose of public improvements you propose six (6) bureaus (one for each department) for each of the five boroughs, with a deputy in charge of each bureau, making five deputies for each department, or thirty deputies altogether, who are to be appointed by the heads respectively of each department.

This system, when taken in connection with the establishment of local improvement boards that are provided for, strikes us as being sound in principle, because it aims to carry out the theory of "home rule," except that it lacks an essential feature to perfect it, and as it is the evident intention of the Greater New York Commission to give the several boroughs the fullest possible measure of home rule, we venture to suggest a plan which in our judgment supplies the missing link.

The plan applicable to the creation of a board of public improvements, which we commend for consideration, is as follows:

Instead of providing for the appointment of the members composing the board of public improvements, change the method, by providing for their election—one to be elected in each of the five boroughs—who shall be residents of their respective boroughs. The five members so elected together with the president of the

council, and the mayor as the presiding officer, to constitute the central body or full board, which shall have the supreme control and management of all the bureaus created under the head of public improvements.

The five members of the board to be elected in the various boroughs, shall have the title of commissioner of public improvements, or if it should be deemed more expedient, then simply provide that the five presidents of the local improvement boards, whom it is proposed to elect in the various boroughs, shall, with the president of the council and the mayor, constitute the board of public improvements.

The functions of these five elective officers, subordinated to the central body or full board, shall be the management and control of all of the six bureaus of public improvements that are to be created in each of the respective boroughs in which they are elected.

In either event each commissioner or president would be placed in the position of being able to execute, as well as to initiate improvements and in being the guiding spirit who have the operations of all the bureaus under his watchful eye, would prevent any clash of authority, that might possibly arise, in case any of the bureaus locally should attempt to conduct operations independently of the action of the other, such for instance as a dispute arising from an attempt upon the part of different contractors to both regulate and grade, as well as to sewer, the same street, at one and the same time.

It will be seen at a glance that the change which we suggest leaves the broad principle of a central city government undisturbed, and that the only change suggested is one of method.

All the reasons that can be advanced in advocacy of the election of the comptroller can consistently be applied in advocacy of the election of commissioners of public improvements, and with even greater force, for commissioners of public improvements are entrusted with the expenditure of vast sums of money that are raised through assessments for the improvements they conduct, thus directly affecting the pockets of the people.

A more perfect system of home rule therefore demands that

the people should have a direct and not an indirect voice in the choice of this highly important official who thus expends their money.

What is the essence of the foregoing plan?

Precisely the same principle which you apply to the functions of the mayor respecting his relations to the government of the whole city are applied by this plan, in a restricted degree, appropriate to the less important functions of a local elective executive in the more limited sphere of a borough, whose official conduct and tenure of office should be made subject to the general laws applicable to the heads of departments, including the power of removal by the mayor, but only on charge, thereby preserving the authority of the central government whose functions should properly extend over the consolidated territory.

All of which is respectfully sumbitted.

Henry Lewis Morris,
John Claflin,
James L. Wells,
Matthew P. Breen,
John H. Knoeppel,
William Ebling,
James R. Angel,
John C. Heintz,
Richard D. Hamilton,
Louis A. Risse,
William H. Schott,
B. R. Guion,
A. F. Schwannecke,
John Cotter,
Charles H. Woehling,
Adolph Hupfel,
Ernest Hall,
Charles Jones,
John Haffen,
Arthur C. Butts,
William H. Ten Eyck,
George Chappell,
John McMahon,
Ferdinand Boehmer, Jr.
William G. McCrea,
John Osborne, Jr.
Louis Eickwort,
W. H. Carpenter,
S. La Grassa,
Gustavus A. Robitzek,

Joint Committee.

JOHN H. KNOEPPEL,
Chairman.

CHARLES H. WOEHLING,
Secretary.

JAMES L. WELLS,
Treasurer.

BEFORE THE HONORABLE THE GREATER NEW YORK COMMISSION.

In the Matter of the Application, etc., of the Joint Committee of the Citizens' Local Improvement Party of the Twenty-third and Twenty-fourth Wards of the City of New York, Relating to the Government of Boroughs. Statement and Points on Behalf of the Applicants.

First—As to the essence and scope of borough government.—In subdividing the great new city into five boroughs, namely: Manhattan, Brooklyn, Bronx, Queens and Richmond, the Greater New York Commission, evidently recognizing the natural physical divisions of these several territories, designs to establish in each borough a local administration of all public affairs which can be properly conducted by a local representative of the people of each borough and which will not interfere with or embarrass the executive and administrative functions of the general or central government of the city.

In other words, the intent in forming these boroughs clearly is—for there can be no other reason for the subdivision—to create five distinct civil entities, each of which shall, subject to the authority of the general government of the city, have such full measure of local government as shall not be in conflict or inconsistent with the unrestricted operation and enforcement of the municipal authority and of those powers and duties which are applicable to the general welfare and, so to speak, universal in their scope and character.

This design is manifestly modeled after the fundamental structure of the government of the United States and of the several States of the Union and of the several counties of each State. It is clear that the principle of local government in a city of the proportions and importance of Greater New York is as essential to the people of these civil subdivisions, in a proportionate degree, as it is to the people of each State of the Union, or to the people of each county of a State, respecting the affairs of such subdivisions.

The essence of the principle is that so far as practicable, consistent with the general welfare, each subdivision, be it great or small, shall have the same process of government by the people within the sphere of such subdivisions respecting matters which are purely local, as obtains in the universal plan of our form of government.

The main point aimed at is that the people in each subdivision shall govern in those matters in which they are immediately and directly interested, and to that end that they shall have the power to choose those who will execute and administer them, and that this power shall not be stinted, but given to the very fullest extent consistent with the supreme authority of the central government and subordinate thereto.

Second—The plan of borough government set forth in the proposed charter is inconsistent with the foregoing doctrine of local government.—Conceding that the foregoing is the one underlying our system of government, we are brought face to face with the application of this principle to the local government of the proposed boroughs under the plan of the Greater New York Commission.

Are the essential features of this principle preserved in the scheme of borough government proposed by your honorable body? It is most respectfully submitted that they are not.

It is true that a system is provided for whereby each borough shall have a president elected by the people of such borough. But, although chosen by the popular vote, his powers and duties are circumscribed within a very small compass. In him is vested only such a mere fragment of local authority that it seems almost idle to invoke the popular will and set in motion the machinery of public election to accomplish it. Compared with the powers of local administration conferred upon the officers appointed by the mayor, or rather upon the deputies of such officers who are to be assigned to each borough, this elected officer's functions are but a mere semblance of local government.

The very authority which, above all others, most directly and immediately affects the people in their homes and property, is

denied to their chosen representative and vested in an officer in whose creation they have had no hand and who is not answerable to them for his acts and conduct.

The chief functions of the elected president are briefly as follows:

He is to preside over a local board composed of himself and the members of the municipal council who are residents of the district, to hear and receive petitions for local improvements, to recommend them to the board of public improvements, which is composed of the mayor and six appointees of the mayor, who are the commissioners and heads of six different departments. If this board approve of the recommendation and the municipal assembly sanction it, the improvements can be carried on. But by whom? By the commissioner who is appointed by the mayor as the head of the department which has charge of the particular class of improvement under consideration, or rather by the deputy of such commissioner whose office is located in the borough.

Beyond merely recommending the improvement, the president of the borough has no further control or connection with the improvements. The duty of progressing the work, of employing the corps of engineers, assistants, inspectors and all other persons necessary for carrying on the improvement, of supervising the work, of enforcing activity and vigilance of employees, or of being responsible for their conduct, all of which are of vital importance to the people who pay for the improvements, is vested not in the elected president, but in the deputy of the appointed officer of the mayor.

This applies to the six bureaus which it is proposed to establish in each borough in charge of six deputies of six commissioners respectively. So that outside of the recommendatory power conferred on the president, all the important functions of borough government, so far as public works and improvements are concerned, are vested in an officer who is so far removed from being the selection of the people who are directly affected by his administration that he is merely the deputy of a commissioner

who is not elected by the people, but is the appointee of the mayor.

It will thus be seen that in the very matters which immediately affect the pockets, health, convenience and comfort of the people of the borough the responsibility of administration is removed three degrees from the people who pay for the improvements.

It is very clear, as illustrated by the efficiency of the department of street improvements of the Twenty-third and Twenty-fourth wards of the city of New York, that these functions should be vested in the officer elected by the people.

Third—The system of borough government proposed in the charter would lead to vexatious complications and partial deadlocks in conducting public improvements.—Independently of the principle involved a most serious objection to the plan of local borough government proposed by the commission is, that it will inevitably result in vexatious complications and partial deadlocks which will be likely to defeat the purpose of its creation.

In order that our meaning may be clearly understood it is necessary to briefly state the general features of your proposition as follows:

The mayor is to appoint six heads of as many departments, to wit: Of highways; of sewers; of street cleaning; of public buildings, lighting and supplies; of water supply and of bridges.

The head of each department has general jurisdiction over the five boroughs, and for the purposes of local administration such head of department appoints a deputy for each borough, who is to have an office therein for the transaction of local business. So that each borough will have six deputies to represent the departments respectively of highways, sewers, street cleaning, public buildings, lighting and supplies, water supply and bridges.

It will be observed that each of these deputies are independent of each other and of all the heads of the departments excepting the head of his own. He is answerable for his conduct only to the head of the particular department of which he is the deputy,

for instance, the deputy of highways in each borough is accountable only to the head of the department of highways who has general jurisdiction over the five boroughs respecting highways and who as before stated is an appointee of the mayor and whose general office will be located in the boroughs of Manhattan, while the deputy of sewers is accountable only to the head of the department of sewers who has similar jurisdiction over the five boroughs respecting sewers, and so on with each of the other departments.

To illustrate one vital objection to this plan it is only necessary to suppose, what will probably be of frequent occurrence, that a dispute arises between two deputies as to the precedence of work under their respective bureaus. Although a provision is made that the construction of sewers shall have precedence over other improvements this will by no means cure the matter.

Nor do we believe that this precedence should obtain in all cases. The necessities of public travel may require the regulating and grading of a highway long before the construction of a sewer might be demanded, and the priority of such improvements should, for obvious reasons, be left to the sound discretion of an officer having charge of the entire subject. Besides there are numerous instances where streets cannot be sewered for many years to come on account of the absence of outlets. To postpone the improvements of streets dependent on such a contingency would be a serious detriment to public travel and traffic.

We can, therefore, readily see the numerous possibilities of disputes as to whether the work under a contract for regulating and grading or for paving shall or shall not be suspended at a certain point until a sewer which is in course of construction shall be completed, or whether or not gas mains shall be laid before a certain highway is expensively paved, or whether or not the paving of a highway should not be postponed until great water mains are constructed or whether gas mains and water mains shall be constructed on the same street at the same time, and if not, which shall take precedence. Nor are these dissensions merely speculative or imaginary. Those who have had experi-

ence in the working of departments in districts where there is even only a partial division of authority, will recall numerous instances of delays and obstacles arising from this cause.

It is unnecessary to suggest to any practical mind the innumerable instances that may be cited to show that the result of such a system will be incessant wrangling, without power anywhere to determine the controversy, except that it may perhaps be compromised in some way by an application to the board of public improvements. But even if it could be adjusted by this uncertain process, delay and confusion in the progress of the public works involved must inevitably be the consequence.

Fourth—Lodging authority over all public improvements of boroughs in the elected officer, with power to establish bureaus, avoids all clashing of authority and secures harmony of administration.—It is respectfully submitted that the plan recommended by the joint committee will obviate all the difficulties suggested in the foregoing paragraph and still preserve the authority of the central government unimpaired.

The main features of this plan are as follows:

That instead of six heads of departments being appointed by the mayor and with him form the board of public improvements, let each of the five presidents of the boroughs be a member of that board. To that number add the president of the municipal council. These six with the mayor to constitute the board of public improvements. All the members of the board will thus be elected officers. Five of them will represent respectively the five different sections into which the city is divided and two of them the city at large, one of the latter (the mayor) being the head of the executive and the other (the president of the municipal council) being the head of the legislative branch of the city government.

Each president of a borough to have authority to establish six bureaus in his borough, namely, highways, sewers, street cleaning, public buildings, lighting and supplies, water supply and bridges, in addition to the topographical bureau already provided for, and to appoint a deputy of each bureau who shall be quali-

fied as an expert in the particular public work of which he is in charge. There can be no clashing of authority under such a system, and no delay in decidng which improvement shall have precedence. Should any controversy arise as to the rights or duties of the officers of adjacent boroughs, for instance, in this case of water supply, and this is the only department where a question may arise, and then only between the officers of the respective boroughs of Manhattan and Bronx, owing to both being served with one water system, the matter could be adjusted by the board of public improvements. The president of the borough and his associates of the local board to hear petitions, etc., for public improvements, which improvement, when duly authorized to be carried on by the president, as the executive and administrative officer of the borough.

Fifth—One officer recommending improvements and another officer carrying on the work must lead to accusations of bad faith and recriminations which will be injurious to the public interests.—The proposition of the commission that one officer, who is elected by the people of the borough, shall have power to recommend improvements, while the duty of carrying on the improvements is imposed on another officer who is merely appointed by a central authority, is open to the most serious objections.

Nothing is more certain than that this will lead to accusations of bad faith between these public officers, and that a spirit of hostility will be engendered which will result in one side asserting that the other officers are neglecting to carry out the recommended improvements, while the other side may claim that the improvements recommended were premature, or not in proper sequence, or in the wrong locality, and that the recommendations were not intelligent or guided by proper motives. Besides recommendations for improvements may be made by the president which might far exceed the capacity of the bureau to execute them, or, on the other hand, the bureau in charge may, from personal motives, delay the execution of them.

This condition is based on the possible contingency that these public officers may be hostile to one another from personal or

political reasons, and that each is ever ready and anxious to place the other in as unfavorable a light as possible before the public.

Sixth—The provision in the charter that the term of the president of the borough shall be two years, while imposing upon him the duty of mapping the district, is clearly inadvisable.—Nothing can be more inimical to the development of a district than the uncertainty regarding the establishment and permanency of the lines and grades of streets and avenues. For the seventeen years prior to the inauguration of the system which was established under the department of street improvements of the twenty-third and twenty-fourth wards, the enormous sum of $600,000 was expended for the making of official maps, and yet there was no permanent system owing to the frequent changes in the officials who controlled the district. The maps were changed, involving the alterations of lines and grades of streets, at the solicitation of those who had influence with each incoming administration, until such a sense of uncertainty arose that people hesitated to make further improvements. This, however, was ended with the creation of the present system which required that the maps of the territory be completed within a specified time and that they should be final and conclusive. It is worthy of note that within the period of six years under the operation of the system we advocate there was accomplished what seventeen years of the abolished system failed to accomplish.

Therefore it is quite evident that a term of two years for the president, involving the probability of a change of administration before he can complete his work, invites a repetition of the same delays and uncertainties in the completion of final maps that retarded the growth of the twenty-third and twenty-fourth wards for seventeen years.

Seventh—A proper system of public improvements is the ground work upon which rests the greatness of the city.—The system to which we object, having a tendency towards undue centralized power, would in time lead to carelessness and apathy concerning public affairs in the voters of the respective boroughs.

While on the other hand, if the officer who has control over their local interests is elected by the people of these localities, an enlivened interest in elections will be evoked which must accrue to the benefit of the community and tend to secure a proper administration of public duties.

Besides, the system which we propose will create a healthy rivalry between the administrations of the various boroughs as to efficiency and character in promoting the public interests and in the development of the respective districts.

In considering the problem of local government it is wholly unnecessary to seek for models in the cities of Europe, because within our own doors we have a system established by the Legislature of the State, which, with unvarying and extraordinary success has been in operation for the past six years in the twenty-third and twenty-fourth wards, a system which has met every expectation of its authors and has more than realized the hopes of the people whose interests it was designed to serve. It is not to be disputed that of all the subjects under consideration the system of local government and improvements is the most important. It is the basic principle upon which rests the growth and prosperity of the great new city. It forms the foundation stone on which the entire structure must stand.

Upon all the grounds set forth herein it is respectfully submitted that the system proposed by the joint committee is the one most in accord with public sentiment and most in consonance with the public good.

MATTHEW P. BREEN,
ERNEST HALL,
ARTHUR C. BUTTS,
JAMES R. ANGEL,

Counsel to the Joint Committee of the Citizens' Local Improvement Party, twenty-third and twenty-fourth wards, New York city.

Letter from Mr. P. T. Sherman and Copy of New York Tribune Interview.

Law Office of Sherman & Stanton, 29 Wall Street.

NEW YORK, *December* 5, 1899.

Hon. FRANK MOSS, 93 Nassau Street.

My Dear Mr. Moss.—Yours of yesterday is received. Enclosed I send you a copy of my recent interview in the Tribune. With the exception of a large mass of notes this is everything that I had prepared for publication, except I explained briefly how I got the figures of $22,000,000 increase, and added a few words as to my views of how the evil should be corrected.

I get the figure of $22,000,000 by subtracting $68,000,000—the amount of the budgets of old New York city and Brooklyn and the annual expenses of the annexed parts of Queens and of Richmond for the year 1897—from $90,000,000, the amount of the budget for 1900.

The amount of $44,300,000 which I state is for wages and salaries does not include wages and salaries in charitable institutions, nor in such semi-private institutions as the museums, zoological gardens, etc. Nor in my opinion does this figure cover the total amount spent for wages and salaries, but only the amount which I am sure that I can prove is so spent. There is a large amount more spent for cart hire, which must include the wages of drivers, millions spent for lighting streets which must include the wages of the lighters, etc., and many other items which I cannot analyze.

If you like I can prepare you a table of wages and salaries by departments. But it would be valueless in my opinion, as it is impossible to compare departments before and since consolidation, even by boroughs, as there have been so many changes.

My idea of the remedy for all this extravagance is to leave a large number of departments under the control of the central city government; and decentralize everything else. The board of public improvements should be abolished and all local improvements should be governed and paid for by boroughs. For that

purpose the borough boards should be strengthened. In the smaller boroughs the number of departments should be reduced. I have written the Governor fully on this point. The present charter I regard as the greatest blow to home rule and the power of local sentiment that could possibly have been delivered. And these are the greatest forces that tend to promote economy. I would like to see this city gradually assimilate its form of government to that of London.

Yours very truly,
P. T. SHERMAN.

GROSS EXTRAVAGANCE.

THE CITY IS BLED TO PAY UNEARNED SALARIES.

P. Tecumseh Sherman Impeaches Tammany Methods With An Array of Startling Figures.

Alderman P. Tecumseh Sherman has been making a careful study of the estimates and budget of the city government for 1900, and he said yesterday that he had made some interesting discoveries regarding the extreme extravagance of the present Tammany administration. By comparing the budgets of the city since the time of consolidation he has found that there has been an increase of nearly $22,000,000 in the annual expenses of the city within three years. Upon that point Mr. Sherman said yesterday:

It cannot be contended that this increase of expenditures is caused by public improvements, for they are payable by bonds (city stock), and many items which were formerly paid at least in part out of the annual appropriations in the budget have been omitted from the budget of 1900 and are now left to be paid entirely by the bonds. For instance, there is no appropriation in this budget for the fund for street and park opening, though in all previous budgets this was an important item. In the budget of 1897 it amounted to $734,568. The budget of 1900 really shows fewer items directly applicable to public improvement than any previous one.

Piling up Debts Rapidly.

The interest, however, on the recently issued bonds does account for some of this increase. The city is now going into debt at a rate which would surprise its inhabitants if they could realize the full extent of the disaster which will occur if the improvements now being carried on are not honestly and economically completed. Since January 1, 1898, the present administration has issued bonds to the amount of $39,000,000 and proposes to issue $50,000,000 more within the coming year. The payments on indebtedness in 1898 amounted to about $14,000,000; in the budget of 1900, $19,646,000 is allowed for that purpose. Thus, there is an increase of about $5,500,000 in the annual expenditures of the coming year on this account.

State taxes also account for a small increase. In 1897 they were $7,200,000, in 1899, $6,275,000, and in 1900, $7,905,000.

The three great departments of education, police and fire also account for a large increase. In the budget of 1898, which is the earliest date at which I can get the figures for all the boroughs, to these departments was allowed a total of $23,227,000, and in the budget of 1900, $30,226,000. Thus there is an increase in the expenses of these departments alone of $7,000,000 since 1898, and judged from the figures for old New York and Brooklyn for 1897, $8,000,000 would about cover all increase in these departments from that date.

The three items mentioned altogether account for an increase of about $15,000,000 in annual expenses since 1897. This increase may have been unavoidable or may be at least partly beneficial. But for the remaining increase of $7,000,000 I cannot find the shadow of reasonable justification or excuse.

Great Increase of Salary List.

In an examination of the budget for 1900, Mr. Sherman finds that of the total $90,778,972, about $44,300,000 will go for the payment of salaries and wages. Of that sum $28,501,000 will go to the board of education, the police department, the fire department and to judges and coroners. There remains nearly

$16,000,000, from $7,000,000 of which Mr. Sherman says he cannot find that the taxpayers get any benefit. As to the details of the increase in expenses in several departments, Mr. Sherman added:

I cannot get the figures for wages and salaries in the 1897 budget, but by comparing total expenditures in departments in which salaries are the principal item we can compare expenses and results. To the department of street cleaning, in the budget of 1900, is allowed, for Manhattan and the Bronx, $3,502,307, exclusive of $35,000 for salaries in its central office. In 1897, Colonel Waring's last year, his department had for the same territory and purposes $2,999,000. Thus $500,000 more is to be spent by this department in those boroughs, and nearly all is for wages. But will the work be even as well done?

The district attorney's office of New York county is another example. In 1897 this office received $185,580, and probably did twice the work that it now does, though now $252,870 is allowed to it. And practically all of this is for salaries.

In 1897 the law departments of all the municipalities now consolidated into the present city cost less than $280,000, but in 1900 we are to pay $399,000 for this department, and all of it for salaries and fees.

The bureau of municipal statistics is a new department created by the charter. It does practically no work, and yet it spends $10,700 in entirely useless salaries out of a total appropriation of $11,200.

ALMOST ALL WASTED.

And the commissioners of accounts, who now spend $160,000 a year in salaries, as against $60,000 in Mayor Strong's day, do no practical good. If they would spend a few thousand dollars in preparing a table, in intelligible form, of the various expenditures of the city and of the actual returns therefore, for the benefit of the taxpayers, the results would be startling and serviceable, and we might then forgive them for their general extravagance.

One easily seen cause and excuse for some of the increase of the aggrggate amount for wages and salaries is the charter and consolidation: Where formerly any department had an administra-

tive office in what is now a borough, it has been continued with practically the same or an increased salaried force. And departments have been multiplied by the charter, thus creating many such offices. And where formerly in some of the boroughs there was no department corresponding to that in Manhattan, because unnecessary and inappropriate, a new office of such department has been established in each of these boroughs, in order to extend a uniform system throughout. And over these borough offices has been established an entirely new central office for each department and its commissioner, with its army of deputies and clerks, and in the case of the six departments included in the board of public improvements yet another central office, entitled by that name and costing the city $239,000 a year, has been established over them.

Thus salaries are piled on salaries and red tape wound around red tape. The board of public improvements and its six subsidiary departments—highways, sewers, bridges, water supply, street cleaning and public buildings, lighting and supplies—will receive for 1900, $9,797,000, of which over $7,500,000 at least is for wages and salaries, and probably much more. And of this about $350,000 is for centralized, additional, duplicated and unnecessary salaries.

$140,000,000 to Spend.

Mr. Sherman said that when the budget and bond issues for 1900 were added together it was found that in 1900 Tammany Hall would have the disposition of about $140,000,000, and he added:

This is a tremendous power to put in the hands of one local political organization. And it is being used with tremendous effect, and primarily for political purposes. But before making this charge, from the above sum should perhaps be deducted about $30,000,000, appropriated for the departments of education, police and fire, and for the salaries of judges, etc., as these officers and the officials in these departments are supposed to be "out of politics." Unfortunately, however, we know that the police are one of the most powerful political factors in the city, and that even

the judges pay large political assessments on their salaries. The $50,000,000 to be raised by bond issues and to be spent largely on contract work will not really all go to the contractors. Some of it, at least, will come back in the shape of "voluntary" political contributions; and as an implied condition of all contracts which no contractor would dare to violate, all unskilled workmen to be employed will be appointees of the Tammany Hall district leaders.

But the salaries in the remaining departments are the mainstay of the Tammany organization. They are dealt out and distributed equitably, without any regard for fitness, except what the law compels, according to the value of services rendered to the organization; and all these place-holders, besides demonstrating their gratitude by increased services for their party, must also contribute largely out of their salaries.

USED TO SUPPORT TAMMANY.

And the final item of $7,000,000, which, as stated above, is probably paid out in useless salaries, is really used to pay workers for Tammany; for the officials who draw these salaries, having no work to do for the city except draw their salaries, can readily spend their spare time (that is practically all their time) in political work for their organization. At the times of primaries and elections the services of such men are important. And, besides, the assessments that can be levied on this leisure class of office holders are large.

No wonder that Tammany can afford to pay off the Parnell mortgage or purchase the Lakes of Killarney, or anything else for that matter. The simple statement of the foregoing facts probably conveys to the average citizen little idea of the real power resulting from this tremendous control over money and means of employment. But when I add that, according to practical estimates, it "is good for" from 40,000 to 60,000 votes in this city on election day, he will understand the full import of these facts.

CONTRACT BETWEEN COMMISSIONERS OF ELECTRICAL SUBWAYS AND THE CONSOLIDATED TELEGRAPH AND ELECRICAL SUBWAY COMPANY—CONTRACT OF APRIL, 1887.

This agreement, made this 7th day of April, 1887, by and between Jacob Hess, Theodore Moss, Daniel L. Gibbens, as commissioners, under and by virtue of an act of the Legislature of the State of New York, being chapter 499 of the Laws of 1885, passed June 13, 1885, as amended by chapter 503 of the Laws of 1886, passed May 29, 1886, parties of the first part, and the Consolidated Telegraph and Electrical Subway Company, a corporation duly organized and existing under and by virtue of the laws of the state of New York, party of the second part;

Whereas, the said parties of the first part are authorized by said act, as amended as aforesaid, to cause to be devised a plan for the placing underground of all electrical conductors in the city of New York, and to carry the same into operation and effect.

And whereas, the making of this contract is deemed advisable and proper for the purpose of accomplishing the ends intended and provided for by this act, and the execution of the duties imposed thereby upon the said parties of the first part:

Now, therefore, this agreement witnesseth that in consideration of the premises and of the mutual premises and agreements herein contained, and of the sum of one dollar by each to each of the parties hereto in hand paid, the receipt whereof is hereby acknowledged, the parties hereto agree as follows:

I. The party of the second part hereby agrees to provide, build, equip, maintain and operate, as herein provided, the subways in this contract mentioned and referred to.

II. The subways aforesaid shall be built in accordance with the plans and specifications therefor furnished or to be furnished by the parties of the first part, or their successors, and the same shall be provided, built, equipped, maintained, operated and kept in good repair by and at the cost of the party of the second part, who will, upon the reasonable demand of the parties of the

first part, or their successors, adopt any and all necessary improvements that will increase the usefulness and efficiency of the system contemplated by this contract and the act above referred to. The parties of the first part and their successors shall have the right at any time to make such modifications and changes as may be reasonably necessary in the said subways, or any of them, or the construction, plans, material or any other matter connected with them, or any of them, or with the construction, maintenance or operation of them, or any of them, and the party of the second part shall conform to and carry out any changes or modifications so made.

III. The party of the second part shall, at its own cost, furnish to the parties of the first part, and their successors, any and all maps, working and other plans, profiles, surveys and drawings, made to scale or otherwise, and all accessible data, figures and information that may be requested by said parties of the first part, or their successors, and necessary, or deemed to be so, for any purpose relating to or connected with such subways, or the duties of the said parties of the first part, or their successors, or in connection therewith or relation thereto, and shall also reimburse the parties of the first part, or thier successors, for all reasonable expenses incurred by them in superintending and inspecting the construction of said subways.

IV. The spaces in said subways shall be leased by the party of the second part to any company or corporation having lawful power to operate electrical conductors in any street, avenue or highway in the city of New York that may apply for the same, including any company or corporation having, or which shall acquire lawful power to manufacture, use or supply electricity.

No space not actually needed for occupation by its electrical conductors in the due course of its business shall be leased to any company or corporation to the exclusion or detriment of any other company or corporation needing space in said subways, and desiring and able to pay for the same.

The said party of the second part shall, without charge, supply to the city of New York all space in said subways necessary for

its electrical conductors of each separate department of said city which may now or hereafter be required.

If, at any time, the space in such subways shall not be sufficient for all the companies or corporations so applying for the same, or for the city of New York or any of its departments, the additional space needed shall be provided by the party of the second part, at its own cost, by the construction, maintenance, equipment and operation of additional subways sufficient therefor, subject, however, to the same conditions and the same control by the parties of the first part, or their successors, as the original subways are by the terms of this contract and by any law.

V. The party of the second part may affix a fair scale of rents to be charged according to the kind of conductors and the amount of space required therefor, which shall be at the same rate to all occupants making a like use of said subways, but the scale of rentals or any charges fixed or made by the party of the occupants making a like use of said subways, but the scale of the second part shall at all times be subject to the control, modification and revision of the parties of the first part, or their successors; and no contract shall be made between the party of the second part and any company or corporation on any terms which shall not require the payment by such other company or corporation at the rates so fixed.

VI. Whenever the net annual profits of the party of the second part, remaining after the payment of the expenses of maintaining and operating such subways, shall exceed ten per cent., upon the actual cash capital invested by it in providing, constructing and equipping such subways, then the excess of such profit over the ten per cent. shall be paid into the treasury of the city of New York; but if, in any year or years prior to the earning of such excess, the earnings of the party of the second part shall not have equalled ten per cent., then the party of the second part shall be first entitled to recoup itself out of such excess for the difference between the actual annual earnings and the said ten per cent., the intention hereof being that no payment shall be

made to the city of New York out of such excess of earnings until the party of the second part shall first have actually earned and received ten per cent. for each year theretofore; and the party of the second part shall and will at all times keep just, full and true books of account which shall show in detail the transactions had by it, and with whom the same were had, and the nature thereof, and especially

1. The amount of space in said subways occupied, with the names of the occupants thereof and the respective amounts of such space occupied by each occupant.

2. The number and kind of electrical conductors therein, with the names of the owners or users thereof.

3. The gross and net amount in detail of rentals and charges and money of all kinds collected or received by the party of the second part, and from whom and for what the same were received or collected, specifying the names of those paying such moneys, and the cause or consideration of such payment in detail.

4. All payments of every kind made by the party of the second part, specifying in detail and separately each payment and to whom the same was made and the cause or consideration thereof, so that it may be determined whether the same is chargeable to the cost of construction or of maintenance.

And said books and accounts, and all the books, accounts, papers and writings of the party of the second part shall at all times be open to the inspection of the parties of the first part or their successors, and of the comptroller of the said city, or any person or persons by him or them deputed to examine the same, and they or he may copy the whole or any part thereof.

And the said party of the second part shall and will on the first day of October of each year, make and return a statement to the comptroller of the city of New York, in such form and verified as he may require and prescribe for the year ending the next preceding first day of September. And any moneys pay-

able to the city under this clause of this agreement by the party of the second part, shall be paid annually on the first day of November.

VII. The party of the second part shall not open any street surface without first obtaining a permit therefor from the commissioner of public works, or other officer or department of said city vested by law with the control of the surface of the street to be opened, and giving to him or it such an agreement as he or it may approve and require for the proper restoration of the pavement of said street and the surface thereof, and for keeping the same in repair for one year after the same has been so replaced or restored.

VIII. The party of the second part shall not be deemed to be the servant or agent of the parties of the first part or their successors, or of the mayor, aldermen and commonalty of the city of New York in doing any act under or in execution or performance of this contract, but shall be deemed to be, and is hereby intended to be made and dealt with by the parties of the first part, and their successors, and all persons whomsoever as an independent party contracting with the parties of the first part, and their successors and others, and having and acquiring such rights for itself as this contract secures to it.

IX. All companies occupying space in said subways shall own their own conductors, and shall have the full management and control thereof, except where otherwise mutually agreed upon between the party of the second part and said companies, subject to the approval of the parties of the first part or their successors; but said management and control shall be subject to the rights of all other occupants of said subways, and to such reasonable rules and regulations as may be made by the said party of the second part. All maintenance and repairs of such conductors shall be done by the company owning them, under the supervision of the party of the second part, who shall prevent injury to the conductors of other occupants.

X. In case any dispute shall arise between the party of the second part and any company occupying or desiring or required

to occupy said subways, the same shall be referred to the parties of the first part, or their successors, for settlement, whose decision shall be final.

XI. The party of the second part shall give a bond to the parties of the first part, and their successors in the penal sum of $250,000, with good and sufficient sureties satisfactory to the parties of the first part, or their successors, securing the just and full performance of this contract, and the building, or provding of said subways, as herein provided, and securing said parties of the first part, and their successors, and the mayor, aldermen and commonalty of said city, well and safely against any and all patent and other suits arising from the building and operation, use and maintenance of said subways, or of any subways provided by the party of the second part, whether the same now are or shall hereafter be built by it, and in the case of the insolvency or death of either of the sureties upon such bond, the party of the second part will, upon the request of the parties of the first part, or their successors, give a new bond of the same tenor and effect, and subject to approval, the same as the bond originally to be given. The said bond shall also contain a guarantee to the city of New York for any and all damage to said city by reason of the construction of said subways. Any and all provisions contained in the subdivision or clause marked IX of the agreement between Roswell P. Flower, Jacob Hess and Theodore Moss, as commissioners, under the acts aforesaid, and dated the 27th day of July, 1886, and not in this agreement contained, are hereby revoked and cancelled.

XII. If, at any time, in the opinion of the parties of the first part, or their successors, there shall be a substantial failure by the party of the second part to carry out the provisions of the said agreement dated the 27th day of July, 1886, as amended and modified by this agreement, and it is so adjudged by competent judicial authorities, the mayor, aldermen and commonalty of the city of New York may enter into possession of said subways, and the party of the second part shall, subject to any valid mortgages or liens then thereon outstanding, not exceed-

ing fifty per cent. on the actual cost of such subways, and all leases or contracts then existing for the use thereof as hereinbefore provided, forfeit its interests in said subways, and will quietly and peaceably surrender the possession thereof to the mayor, aldermen and commonalty of the city of New York, who shall thereupon and thereafter own the same, subject, however, to the same powers and duties of the parties of the first part, or their successors, as the same would otherwise have been held subject to by the party of the second part, and the same, until otherwise provided by law, shall be maintained and operated by the said mayor, aldermen and commonalty of the city of New York by and through the parties of the first part, or their successors, subject to such lawful liens, mortgages, leases and contracts.

XIII. The parties of the first part hereby grant to the party of the second part the right to build subways in accordance with such plans and specifications as shall at any time be furnished by the parties of the first part, as hereinbefore provided, and said parties of the first part hereby agree to use all lawful means within their power to compel all authorized companies or persons using electrical conductors to comply with the provisions of the law and to place their conductors in said subways and to pay a fair rental for the space occupied therein, but neither the parties of the first part nor their successors, nor the mayor, aldermen and commonalty of the city of New York, shall be liable or responsible for any neglect or failure on the part of any such company or person so to place their conductors in said subways, or having placed their conductors therein, to pay the fair rental for the space occupied by him or it; nor shall the mayor, aldermen and commonalty of the city of New York, be liable for any neglect, failure or refusal in the premises of the parties of the first part, or their successors.

XIV. The successors of the parties of the first part shall be construed to include those who may succeed them as commissioners under the provisions of existing laws, or under the provisions of any law hereafter passed by the Legislature of the

State of New York, or any officer or officers of the city of New York who shall succeed to the powers and duties of the parties of the first part, or any part of such powers and duties, under the provisions of any law now existing or hereafter enacted by the said Legislature, or any other persons or officers hereafter appointed or selected pursuant to any law, to succeed to the powers and duties, or any part thereof, of said parties of the first part.

XV. The said party of the second part shall, at any time after January first (1897), eighteen hundred and ninety-seven, upon the demand of the commissioners of the sinking fund of the city of New York, by proper instrument or instruments of conveyance or transfer, in due form and duly executed, sell, assign, transfer, convey and set over to the mayor, aldermen and commonalty of said city all or any of the subways constructed by it, as aforesaid, and all or any of the contracts or other property of any kind held or owned by the party of the second part for any of the purposes of its incorporation, subject, however, to all leases, mortgages or contracts heretofore lawfully made, within the limitations imposed by section XII of this contract, when the said commissioners of the sinking fund shall provide, as provided by any law hereafter passed, but not less than the cost thereof; and if the said company shall not have earned ten per cent. per annum on actual cost during the term of this contract a further payment shall be made, in addition to the cost, not exceeding ten per cent. on such cost, to the extent of such deficiency in annual earnings.

XVI. This agreement shall not bind either of the parties thereto, except and until it shall have been ratified and confirmed by an act or acts of the Legislature of the State of New York, and shall be null, void and of no effect until and unless the bond hereinbefore mentioned and required to be given by the party of the second part shall be given within thirty days after such act shall have been passed or within such further time, not to exceed sixty days additional, as may be granted for that pur-

pose within said thirty days by said parties of the first part or their successors.

And from and after the time when this contract shall become binding upon the parties thereto, it shall be deemed and construed to be a contract amending and modifying the agreement made by and between the commissioners of electrical subways in the city of New York and the party of the second part hereto, dated the 27th day of July, 1886, and nothing in this contract nor in the contract hereby amended and modified shall be construed as granting to the party of the second part any exclusive privilege, immunity or franchise whatsoever.

XVII. This contract shall be executed in triplicate, one copy thereof to be kept and retained by each of the parties hereto, and the third copy thereof to be deposited and filed in the office of the comptroller of the city of New York, and to be a public record.

In witness whereof, the said parties of the first part have hereunto set their hands and seals, and the party of the second part has caused its corporate seal to be hereunto affixed, and these presents to be signed by its president and attested by its secretary, the day and year first above written.

In presence of

GEORGE W. VULTEE.

(L. S.) JACOB HESS,

(L. S.) THEO. MOSS,

(L. S.) DANIEL L. GIBBENS,

Commissioners, etc.

CONSOLIDATED TELEGRAPH AND ELECTRICAL SUBWAY COMPANY.

By EDWARD LAUTERBACH, President.

Attest:

W. J. SEFTON.

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THIRTY-FOURTH ANNUAL REPORT

OF THE

TRUSTEES AND OFFICERS

OF THE

Institution for the Improved Instruction of Deaf-Mutes.

(Lexington Avenue, between 67th and 68th Streets, New York.)

For the Year 1900.

TRANSMITTED TO THE LEGISLATURE APRIL 23, 1901.

ALBANY:
JAMES B. LYON, STATE PRINTER.
1901.

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for the Year 1900-1901.

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LADIES' AUXILIARY COMMITTEE.

House Committee.

Miss R. LOEB, Mrs. S. ROSENBAUM.

Purchasing Committee.

Mrs. E. CALMAN, Mrs. F. WOLFF.

Sewing Committee.

Miss R. FRANKENHEIMER, Miss M. HENRY,
Mrs. M. ROTHSCHILD.

School Committee.

Miss J. DREYFUSS, Miss B. HERZOG,
Miss S. SYKES, Mrs. H. NATHAN.

Miss BELLE HERZOG, *Chairman.*
Miss MABEL HENRY, *Secretary.*

OFFICERS OF EDUCATIONAL DEPARTMENT.

Principal,

ELBERT A. GRUVER, M. A.

Teachers,

EDITH M. BUELL,
LOUIS C. BUTLER,
MINERVA E. COMSTOCK,
JULIA CONNERY,
LYDIA M. COOKE,
MRS. T. F. DRISCOLL,
TIMOTHY F. DRISCOLL,
MAUD L. EMERSON,
CARRIE E. FRECK,
FRANCES E. P. HINKLEY,
FRANCES S. LOWREY,
MADGE R. MARSHALL,
EDITH R. NESBITT,
ISABELLA A. PARMELE,
MARY B. SHAW,
ELIZABETH J. SMITH,
ELIZABETH STRICKLAND,
CARRIE H. SUMMERS,
SARAH L. D. SUMMERS,
MARGARET J. WORCESTER.

Substitute Teacher and Librarian,

MISS MAY TURNER.

Teacher of Drawing,

OLIVER E. WEBB.

Teacher of Physical Training,

WALTER S. KUPFER.

OFFICERS OF INDUSTRIAL DEPARTMENT.

Principal,

ELBERT A. GRUVER, M. A.

INSTRUCTORS.

Instructor in Dressmaking,

MISS HESTER ARCHIBALD.

Instructor in Plain Sewing,

MISS ELIZABETH HARRISON.

Instructor in Sloyd,

OLIVER E. WEBB.

Instructor in Carpentry, Cabinetmaking, Painting and Glazing,

MARTIN E. MEAGHER.

Instructor in Tailoring,

JACOB KLEIN.

Instructor in Iron Work,

J. H. DEGROODT.

OFFICERS OF HOUSEHOLD DEPARTMENT.

Principal.

ELBERT A. GRUVER, M. A.

Clerk.

JOSEPH E. AGNEESSENS.

Matron.

MARY J. LOUGHRIDGE.

Steward.

J. H. JAMES.

Janitor.

MARTIN E. MEAGHER.

Supervisors of Girls.

MARGARET ARCHIBALD, MRS. H. D. SCHUREMAN,
MRS. E. J. BRIGGS.

Supervisors of Boys.

WALTER S. KUPFER, KATE E. HARE,
EMMA AARONSON.

Nurse.

MRS. MARY CALDWELL.

Engineer.

DANIEL McGOWAN.

Watchman.

MICHAEL RING.

MEDICAL BOARD.

Chairman ex officio.

ALBERT BLUM.

Attending Physician.

Dr. L. M. MICHAELIS, 1090 Lexington avenue.

Consulting Physician.

Dr. A. JACOBI, 110 West 34th street.

Oculist and Aurist.

Dr. E. L. MEIERHOF, 1140 Madison avenue.

Surgeon.

Dr. WILLY MEYER, 700 Madison avenue.

Dermatologist.

Dr. H. GOLDENBERG, 50 East 58th street.

Dentist.

Dr. WILLIAM W. NEWTON, Jr., 243 West 50th street.

STATE OF NEW YORK.

No. 79.

IN ASSEMBLY,

APRIL 23, 1901.

REPORT OF THE PRESIDENT OF THE BOARD OF TRUSTEES.

To the Legislature:

It is a source of sincere gratification to the board of trustees of the institution to be able to report that another year of success and prosperity has been added to the history of its work.

With undiminished energy the true objects of the association have been pursued, and with a hearty interest and enthusiasm the pupils have endeavored to utilize the time and to profit by the zeal and earnestness of their teachers and officers. It is our especial privilege and great pleasure to be able to report that the progress made by the pupils in their several grades, during the past year, has in no period of time been excelled, and the improvements have been

most marked and gratifying. The constant efforts on the part of the board of trustees for the best interests of the institution; the unceasing labors for the mental, moral and physical development of the pupils by the principal, the teachers, the matron and the other officers, and the high regard by the immediate friends and relatives of the pupils, as well as the general public, are signal proofs to the association, under whose auspices the institution was founded and under whose care it has thus far prospered, of the good work already accomplished; of the confidence in the future success of its efforts, and of the marked esteem in which the institution is held.

The year covered by this report, extending from October 15th, 1899, to October 15th, 1900, has been one of the most important periods in the history of the institution. During this time the internal administration has been entirely changed; in the first instance, by placing the institution again in charge of a principal—the plan of having a superintendent for the Domestic and Household departments and a principal for the Educational and Industrial departments was abandoned as not being practical; and next, by broadening the influence of the matron, holding her responsible for the economical management of the household. This change had to be made during the school term and caused some inconvenience for a short time. Everything, however, was gradually arranged, every obstacle overcome, and soon the proper spirit animated all. The work went on with more vigor and zeal and with corresponding satisfactory results. It is not desirable here to enlarge upon the reasons which made the changes in these departments a necessity. By vesting in the principal the right to nominate all his teachers and assistants, to be sanctioned and appointed by the board of trustees, by holding the matron directly responsible for the proper administration of the affairs of her department, and by defining, as nearly as possible, the duties of the respective officers

toward one another and toward the institution, it was believed that more satisfactory and conscientious labor and a more harmonious co-operation would be realized.

As will be observed from the report of the principal, the school is divided into three grades—the Primary, Intermediate and Advanced—and comprises twenty classes, under the care of twenty teachers and one substitute teacher and teacher in training. The principal, superintending the entire school, has subdivided and arranged the pupils according to their standing into classes of ten pupils each. The same methods of instruction which were found so successful last year were pursued this year without substantial change.

As a reward to industrious scholars the interest on the Levi Goldenberg prize fund is expended annually upon prizes awarded for meritorious conduct and general improvement on the part of the pupils during the year. This fund has proved a valuable incentive to better work. The details of prizewinners will be found in the principal's report.

During the year the board of trustees revised the by-laws and the revised version adopted and placed in force at the May meeting of the board, due notice having been given to all the members of the association. Rules and regulations for the respective officers of the institution shall be governed in accordance with the changes made in the administrative affairs of the institution.

The total number of children who received the benefits of instruction in the institution during the year was 237. The total average attendance of pupils receiving instruction at any time during the year was 203, making the net per capita cost of maintenance about $300.

Attached to this report will be found the reports of the finance committee, the physician's and school committee's reports, made

through the principal, which enter fully into the statement of items and figures interesting to those who wish to enter more minutely into the operations of the institution. The report of the school committee shows in detail the results of the past year's work. The facts it states and the figures it gives will be found of interest to those who have the affairs of the institution at heart. The school committee's report also gives specific information in regard to the industrial work of the institution. It is the object of the board of trustees to make this department as complete as possible, and it is gratifying to state that it has already shown great improvement, both in the quality of the work and the interest the pupils are manifesting in the trades taught. Our aim is to more thoroughly fit our pupils to be successful bread winners, and also to make skilled workmen of those under our charge, their industrial training going hand in hand with their intellectual instruction.

Since the last report of the board of trustees, we have been compelled to record the death of one of our number, Mr. David Bachrach. We can but sadly here repeat the resolutions adopted by the board at that time:

"Whereas our friend and associate, Mr. David Bachrach, has been taken from us by the sudden and pitiless hand of death, be it hereby resolved, that we, the members of the board of trustees of the Association for the Improved Instruction of Deaf-Mutes, deplore in his demise the loss of a friend and a zealous, indefatigable and wholesouled companion in our work.

"That we bear witness to the unflagging energy and thorough comprehension with which he, during the many years of his trusteeship, devoted his attention and his time to the promotion of the interests of the association, and,

"That we testify to his great interest in the cause of deaf-mute instruction throughout the world whereby our knowledge of the

activity in other fields of deaf-mute endeavor was constantly augmented, and we were frequently brought in contract with the prominent promoters of deaf-mute interests from other lands.

"That we record our grief at his loss, feeling as we do, that we shall hereafter miss the valuable cooperation and unselfish services of one ever ready to obey any call made upon him in the interests of those intrusted to our care, and that we will carry in our hearts and ever cherish his memory as that of an esteemed and beloved associate.

"That we tender to the widow and relatives of our dear friend the assurance of our sincere and heartfelt sympathy in their affliction.

"That these resolutions be entered in full upon the minutes of the association, and a copy thereof in due form be transmitted to the family of our departed friend."

Mr. Arthur Lehman was elected as a member of the board to fill the vacancy caused by Mr. Bachrach's death, and Mr. Morris B. Baer was appointed to fill the other vacancy on the board.

From the accompanying report of the attending physician, it will be seen that the general health of the pupils under our care has been exceptionally good, no deaths occurring in the institution, nor was there at any time during the year any serious sickness.

A dentist was employed to take care of the teeth of the pupils. Dr. Wm. Carr offered his services to the institution in placing this branch of the work in successful operation, and secured the services of Dr. W. W. Newton, Jr., who is devoting his time and attention to putting the mouths of the children in good condition. Dr. Wm. Carr is entitled to the special thanks of the association for the personal interest shown and the thoughtful suggestions offered in connection with this work, the results of which will show upon the health and comfort of the pupils, as well as by the constitutional benefits received.

The Ladies' Auxiliary Committee have continued their efficient supervision of the affairs of the institution. The work of this committee has been especially beneficent in the management of the domestic affairs, and their close attention to the work of the intellectual department. The thanks of the board of trustees is certainly due them for their disinterested labor.

Our thanks are gratefully tendered to Mr. Arthur Lehman, Miss S. Sykes and Mr. Chas. Wiebusch for liberal contributions of books for the library; to the Aquilar Free Library for courtesies to pupils, teachers and officers; to Miss S. Sykes for refreshments and Christmas candy for the pupils; to the ladies committee for contributions of toys for the small children, and to the various institutions for catalogues and copies of school papers for the reading room.

Before concluding this report of the year's operation of the institution, it is just to recognize the services of the three standing committees. The fulfillment of the duties of these committees call for the frequent sacrifice of time and comfort on the part of the members. Interest in the work of educating our charges on the part of the school committee; economy and watchfulness on the part of the house committee, combined with the proper regard for the health and comfort of the inmates, and a careful vigilance in guarding the financial interests of the association, on the part of the finance committee, are qualities which always commend themselves to our regard, but especially when practised, as in these instances, without reward other than love for the cause.

Respectfully submitted,

EMIL CALMAN,

President of the Board.

PRINCIPAL'S REPORT.

To the Board of Trustees of the Institution for the Improved Instruction of Deaf-Mutes:

Gentlemen:—I have the honor to submit for your consideration the following report on the affairs of the institution for the year ending October 15, 1900, the thirty-fourth year of the school's existence.

According to the last annual report there were enrolled in the institution October 15, 1899, two hundred and one (201) pupils, of whom ninety-five (95) were girls and one hundred and six (106) were boys. Since that time there have been admitted thirty-six (36) pupils, sixteen (16) of whom were girls and twenty (20) were boys. Thirty-four (34) pupils have been discharged, seventeen (17) of whom were girls and seventeen (17) were boys, leaving at this date an enrollment of two hundred and three (203), of whom ninety-four (94) are girls and one hundred and nine (109) are boys, two more than at the corresponding time last year. The total number of pupils under instruction during the year was two hundred and thirty-seven (237).

The following tabulated statement shows the classification as follows:

ENROLLMENT 1899-1900.	Boys.	Girls.	Total.
Enrollment October 15, 1899	106	95	201
Admitted during the year	20	16	36
Total pupils under instruction during the year	126	111	237
Discharged during the year	17	17	34
Enrolled October 15, 1900	109	94	203

The total cost of maintenance for the year, including everything necessary in conducting the affairs of the institution—instruction, clothing, board, heat, light, repairs, improvements and medical and dental attention, was $60,547.13.

The 203 pupils enrolled at this date are maintained as follows:

	Boys.	Girls.	Total.
By the State of New York	44	45	89
By the various counties	56	51	107
By the parents and guardians	7		7
Totals	107	96	203

The pupils under instruction at this date reside as follows:

COUNTY.	Boys.	Girls.	Total.
New York	87	81	168
Kings	11	10	21
Queens	1	1	2
Richmond	2		2
Ulster		3	3
Washington		1	1
Westchester	1		1
Greene	1		1
Dutchess	1		1
In other States	3		3
Totals	107	96	203

Of the foregoing, fifty-nine (59) were born deaf; eighty-six (86) became deaf under two (2) years of age; forty-three (43) became deaf between two (2) and five (5) years of age, and fifteen (15) before the age of twelve (12) years.

The causes of deafness, as given by the parents, were as follows: Scarlet fever, 8; spinal meningitis, 31; falls, 8; measles, 5; typhoid fever, 3; typhus fever, 3; scarlatina, 9: catarrh, 3; discharge from the ear, 1; brain fever, 13; whooping cough, 4; diphtheria, 8; abscess, 1; spasms, 2; mumps, 2; swelling in the head, 2; the grippe, 2; teething, 1; pneumonia, 1; blow on head, 2; malarial fever, 1; convulsions, 1; cause not known, 23; born deaf, 59.

The pupils admitted to the institution during the past year reside as follows:

COUNTY.	Boys.	Girls.	Total.
New York	13	17	30
Richmond	1		1
Kings	1		1
Dutchess	1		1
State of New Hampshire		1	1
Totals	16	18	34

The places of birth of the foregoing pupils were as follows:

WHERE BORN.	Boys.	Girls.	Total.
New York city	7	10	17
Kings county	1		1
Dutchess county	1		1
New Jersey	1	1	2
New Hampshire		1	1
Missouri		1	1
Virginia	1		1
Illinois	1		1
Russia	3	3	6
Denmark	1		1
England		1	1
Italy		1	1
Totals	16	18	34

It will be observed that nineteen (19) were born in New York State, six (6) were born in other States, and nine (9) in other countries.

Three (3) had attended other schools for the deaf, three (3) had attended public school and twenty-eight (28) had never been under instruction.

From the foregoing tables it will be seen that there are a variety of causes for deafness, and it is quite probable that the majority of cases reported as becoming deaf from unknown causes, were born deaf.

The ages of those admitted during the year are as follows:

Number of pupils.	Age of admission.
6	5
8	6
2	7
9	8
2	9
1	11
2	12
1	13
1	14
1	17
1	18

Your attention is directed to the fact that two of the pupils admitted during the past year, a girl and a boy, were eighteen (18) and seventeen (17) years old respectively when admitted. These pupils were kept at home by their parents and thus deprived of the advantages of early instruction. The girl was formerly entered in this institution at an early age, but because of homesickness was allowed to remain at home by her parents. She stayed in the institution at that time only a few weeks. Being under instruction so short a time she received nothing of practical value. During the intervening time she received no instruction, nor had she the advantage of industrial training. She is practically helpless, and her chances for securing a satisfactory education are few. It is necessary to begin her instruction where it should have been begun thirteen years ago, carry her through the same course of instruction and give her special lessons, with unusual care and encouragement. The boy had never been under instruction in any school, but his parents placed him in a position to learn a trade. He assists in the

support of the family, and came to school of his own volition and from an earnest desire to learn and to be of more service to his parents. Although his age is a decided drawback in his acquisition of spoken and written language, he is ambitious and studious, has correct habits of application, as a result of his industrial training, and will make rapid progress with much improvement. It will also be observed that several of the pupils, when admitted, were over eleven (11) years of age. In the last annual report the following statement was made: "In this city there are deaf boys and girls over fifteen (15) years of age who have never received any instruction. They come to us at that age and older utterly ignorant." This condition of affairs still continues, such children frequently making application for admission to the institution. Pupils entering school at that age have lost the best years for receiving an education. With most judicious handling and with very carefully planned work, in the hands of thoroughly experienced teachers, these pupils may be kept contented and interested in school, and may receive an elementary training in speech and lipreading and a limited use of language, but usually little more can be done with such cases than to instruct them in a trade. We are very fortunate in having a well equipped industrial department to meet the requirements of such pupils. Other children from seven (7) to ten (10) years of age are out of school for no other reason than failure of the parents to send than from a fear that they might become homesick. A strict enforcement of a compulsory education law for the deaf in New York city is an imperative necessity.

HEALTH.

There was a marked absence of sickness in the institution during the past year. We had several cases of slight illnesses, but a speedy and complete recovery characterized each case. There were no deaths in the institution during the year. When the number of

children under our care, and the physical condition of this class of children are taken into consideration, the record of the past year is sufficient proof of the excellent sanitary condition of the building, the good quality of the food and the excellent care and attention of the physician, nurse, and those in charge. For further information as to the health of the family and of the treatment of the pupils when sick, you are respectfully referred to the report of the attending physician, Dr. Ludwig M. Michaelis. Dr. E. L. Meierhof, the oculist and aurist, made a careful examination of the eyes and ears of each child in the institution. The gratuitous services of Dr. Abram Jacobi, Dr. Willy Meyer, Dr. E. L. Meierhof and Dr. Hermann Goldenberg are gratefully acknowledged. These gentlemen have taken an active, personal interest in the health and comfort of the pupils during the year.

THE BUILDING.

Much work was done in the way of repairing, renovating, cleaning and refurnishing the building. The floors were well cleaned and oiled, the ceilings of the class-rooms were kalsomined and the walls of the officers', teachers' and servants' rooms were painted. The wooden partitions in the north side of the building, dividing into class-rooms the large room formerly used as a sitting-room for the boys, were removed and replaced by studded partitions, making three cheerful and comfortable class-rooms. Many needed improvements were made in the kitchen and servants' dining-room by painting the walls and tearing out unnecessary partitions. A rearrangement of the boilers for cooking and the tubs for washing the dishes greatly facilitates the work of the kitchen. The pantry, off the children's dining-room, was enlarged and closet built for the table linen, dishes and silverware. Tubs were also placed in the pantry for washing the children's dishes. The engines, pumps and boilers were thoroughly overhauled and repaired and placed in

excellent condition. The lavatories on both the boys' and girls' side of the house were rearranged and made thoroughly sanitary by the most modern improved plumbing. Lockers were placed in convenient spots easy of access for the boys. The officers' and teachers' dining-room was painted and partially refurnished and the pupils dining-room brightened and made more attractive. Throughout the house, several of the teachers' rooms were painted and refurnished. These extensive repairs and additions were costly, but the building is now in excellent condition.

THE HOUSEHOLD.

Several important changes were made in the household department. Upon the resignation of Mr. H. F. Mitchell, superintendent, it was decided to place the principal in charge of the institution as its executive head. With a view to more thoroughly systematizing the household and domestic departments, it was determined to broaden the scope of the matron's position, holding her responsible for the economical and careful management of the household. The institution is fortunate in having upon its staff one who, by previous experience and excellent training, is well fitted for this work. With the hearty support of all she has been very successful in placing the house in excellent condition, rendering good service and adding greatly to the comfort of everybody.

In this, as in every other department, nothing is left undone to insure the comfort and happiness of the pupils and of all connected with the institution. A dietary, prepared under the supervision of the medical staff, was generously and methodically carried into effect. The dining-rooms for officers, teachers, pupils and attendants were made cheerful and attractive, and the various apartments, dormitories and rooms were well heated and lighted, systematically ventilated and supplied with all the comforts of a well regulated home.

In the personnel of this department there were several changes. Mrs. M. T. Hargous, teacher in cooking, and afterwards matron, resigned her position in April and was succeeded by Miss Mary J. Loughridge, who had for several years occupied a position as matron in the Pennsylvania Institution, Mount Airy, Philadelphia; Miss Margaret Archibald, teacher in dressmaking and supervisor of large girls, was appointed assistant matron and chief supervisor of girls; Miss Hester Archibald, supervisor of small boys, was appointed seamstress and was afterwards placed in charge of the sewing and dressmaking classes carried on in connection with the industrial work; Miss Elizabeth Harrison was appointed assistant to Miss Archibald; Miss May Turner succeeded Miss Hester Archibald as supervisor of small boys, and upon accepting the position of substitute teacher and teacher in training was succeeded by Miss Emma Aaronson; Mr. Walter S. Kupfer, supervisor of large boys, was placed in charge of all the boys; Mr. James P. Doyle, supervisor of small boys, having resigned his position, Miss R. E. Hare was appointed to assist Mr. Kupfer in the care of the boys. These women have come highly recommended and add greatly to the efficiency of the department.

The supervisors have been relieved of all duty other than the direct care of the children when not under instruction in the class-rooms. They are constantly with the pupils in the play-rooms, dining-rooms, on the play ground, and wherever the children may be. It is their duty to be constantly present to look after the comfort and welfare of the pupils. The steward, janitor, matron, assistant matron, supervisors, engineer and attendants were faithful in the discharge of their duties. In the steward's department great improvements were made in the dispatch of business. All expenditures were carefully guarded and supplies are purchased at the lowest rates obtainable, consistent with good quality. The assistant

secretary in charge of the accounts, the steward in the culinary department the janitor in the care of the building and the heating and lighting, and the matron in charge of the household, deserve much credit for the orderly and systematic manner in which the business of the institution is conducted. The frequent visits from the members of the house committee and the ladies' auxiliary committees were very helpful. The influence of their presence and their advice and thoughtful suggestions were felt throughout the entire institution in the increased neatness and order, and in the economical administration of the department, greatly encouraging the efforts of household officers.

Where children from all classes and of varied degrees of intelligence are gathered together in an institution of this nature it is a very difficult matter to uphold such order and discipline, and, at all times and in all places, to maintain such a degree of system and cleanliness as is expected in a private family. It requires great vigilance and labor to maintain the building in all its parts in a condition always presentable for careful inspection in its minutest detail. During the year it has been the aim to have the building appear more as a home and less as an institution. I feel that our efforts have been rewarded, and that our object has not been entirely fruitless. We contemplate still greater improvement along this line during the ensuing year.

THE INTELLECTUAL DEPARTMENT.

In this department the methods of instruction pursued are similar to those of the past year, but the organization of the grade work was somewhat changed. The advanced, intermediate and primary grades are still retained. The advanced grade contains four classes under the following teachers: Mr. Butler, Miss Smith, Mrs. Driscoll and Miss Marshall. The intermediate grade four

classes, with Miss Connery, Mr. Driscoll, Miss Cooke and Miss Carrie Summers as teachers, and the primary grade twelve classes, with Miss Lowrey, Miss Nesbitt, Miss Worcester, Miss Shaw, Miss Strickland, Miss Hinkley, Miss Freck, Miss Emerson, Miss Parmele, Miss Sarah Summers, Miss Comstock and Miss Buell as teachers. The full staff numbers twenty teachers. Only one change was made in the staff during the year. Miss Hedden resigned to take charge of the girls' department of the School of the Lackawanna, Scranton, Pa., and was succeeded by Miss Maude Emerson, formerly a teacher in the Mystic Oral school. The rotation of classes in the advanced grade proving a great success, the system was extended to the intermediate grade, each teacher in these grades giving instruction in one or more subjects to each of the four classes. In the primary grade each teacher has charge of her class the entire day. Miss May Turner, supervisor of small boys, was appointed substitute teacher and librarian, and in connection with this work is receiving instruction in the methods of teaching the deaf as employed in this institution, preparatory to entering the profession as a teacher.

A change in the hours of instruction was deemed best for the welfare of the pupils and the successful management of the institution. All the intellectual work is now done from 8 o'clock to 1 o'clock, the industrial work from 2.30 o'clock to 4.30 o'clock. This arrangement of hours has been in operation only a short time, but results already show that the change was advisable.

The custom of former years in giving the pupils prizes from the fund created for that purpose by the late Levi Goldenberg, for general improvement, was continued.

Ten prizes were awarded as follows for the best general progress in the entire school:

First prize—Walter Calahan.

Second prize—Nettie Bleier and Annie Rosenthal.

For the greatest general progress in class work prizes were awarded to the following pupils of the advanced and intermediate grades:

Bella Bensinger.....First class
Doris Helburn.....Second class
Ethel Jones.....Third class
Harry Sunshine.....Fourth class
Juanita Joseph.....Fifth class
Max Marks.....Seventh class
Willie Cronin.....Eighth class

No prize was awarded to the sixth class, there being no pupil entitled to it.

These prizes stimulated the pupils to greater efforts in their class work, strong competition being manifested in several of the classes.

During the year, the visits and the examination by the inspector appointed by the State Board of Charities were discontinued. This work was placed in charge of a representative of the Department of Public Instruction, who spent several days in the school, visiting the class-rooms, and observing the methods of instruction employed. Mr. Andrew's report has not yet been published.

The improvements in furnishing and decorating the class-rooms and study halls as noted in the last annual report have steadily progressed. Many of the class-rooms are furnished with Chandler's adjustable desks. Where these desks are not suitable, kindergarten tables and chairs have been supplied. These improvements are in accordance with the best views and have added greatly to the comfort and health of the pupils.

At the opening of the present school year, a regulation was made that pupils should remain in the institution over Sundays as well as during week days. This rule, although in force but a short time, has already shown the wisdom of the move, by closer application

to work, and an enthusiastic interest in all that pertains to the institution. It has also brought the parents into a closer relation to the school, frequent visits from them being encouraged.

The employing of an attending dentist to the institution has helped indirectly the work of the class-room. The work of teaching speech to the deaf, under ordinary conditions, is an arduous and painstaking task, and often made more so by the unhealthy condition of the mouth. Each child in the institution has undergone a careful examination and where necessary received treatment, which has made the work of the teacher easier and more agreeable. I respectfully call the attention of the members of the board of trustees to the urgent need of a similar careful and systematic examination and treatment of the eyes of the pupils. The extra expense would be fully compensated by the comfort to the child and the actual benefit to him in the work of the class-room.

Two important meetings of persons interested in the deaf were held during the year, one the conference of superintendents and principals at Talladega, Ala.; the other the Department for the Deaf in connection with the National Educational Association in Charleston, S. C. Both meetings were well attended and interesting and instructive papers were read. These meetings are valuable as a means of interchanging ideas and diffusing knowledge relating to the deaf. This institution was represented at both meetings by the principal.

THE INDUSTRIAL DEPARTMENT.

In this department important changes were made. The technical instruction as imparted in this institution had been planned "to give the pupil such general training of the eye and hand as will be of use to him in after life, no matter what trade or occupation he may follow." It was not the intention "to prepare them for any

particular trade, but to instruct them in certain mechanical principles which underlie all trades." This branch of industrial work is known as manual training, and has heretofore been the course pursued in this institution.

In an institution of this character the development of the intellect and the training of the faculties should receive the most careful attention. To this end great care is exercised in the selection and application of proper methods of instruction. The intellectual work receives first consideration, but the training of the hand and the eye in some form of useful occupation is never neglected. It is the object of the institution to make this training practical and a source of remuneration to the pupils upon leaving the school. In some cases of weak mentality and of advanced age in entering school it forms the most important part of the pupil's education, and aids greatly in mental development. Industrial training has thus become very properly a most important feature of the work, and in some respects *the* most important. The school committee, recognizing the great importance of this feature of the institution's work, decided to place this department upon a thoroughly practical basis, by changing the plan of instruction from a method which gave the pupils only a knowledge of "certain mechanical principles which underlie all trades" to a method which gives a knowledge of the principles which underlie all trades while giving a thorough knowledge in a single trade or occupation. Trade teaching has taken the place of a general manual training. Each pupil of sufficient strength receives instruction daily in a trade. Close attention is given to the details of the trade taught and systematic instruction given. In assigning pupils to trades special fitness and aptitude to the trade are considered, the purpose being to give each pupil a trade at which he may earn a living upon leaving the institution. In this department are taught tailoring, carpentry and

cabinet making, painting and glazing, and working in iron to the boys, and plain sewing, dressmaking and cooking to the girls.

Several changes in the personnel of the department were made. Mr. Charles A. Lopez resigned his position as instructor in clay modelling, and the work was discontinued. Work in oil painting being also discontinued, and a complete reconstruction of the course in drawing in connection with the educational work having been made, the resignation of Mr. August Young was accepted. Mr. Oliver E. Webb succeeded Mr. Young. Mr. Jacob Klein, a practical tailor, was placed in charge of the class in tailoring, and Miss Hester Archibald placed at the head of the sewing classes for the girls with Miss Elizabeth Harrison as assistant. Mr. Martin E. Meagher and Mr. J. H. De Groodt remain in charge of the carpentry and work in iron respectively.

A very important feature in connection with this department was the introduction of sloyd. Two classes of small boys were formed in charge of Mr. Oliver E. Webb. His pupils have already acquired a skill and an aptitude in the handling of tools which is certainly gratifying and almost surprising. These pupils are employed one hour each day, and an interest and enthusiasm prevails which will tell later when these boys are transferred to other departments to take up regular trade work. As a discipline in careful and thoughtful attention to the work being done, sloyd is the best occupation at which young deaf children can be employed. It makes them careful, attentive and exact, most important habits for the deaf boy learning a trade. It is claimed by some industrial instructors of the deaf that the pupils on leaving school do not pursue the trade learned while in school, and for this reason they assert that manual training is the industrial work best adapted to the needs of the deaf. This does not appear to be supported by the actual facts, nor is it the opinion of those who after long experience with the deaf continue giving in-

struction in trades. The deaf boy's training, either intellectual or industrial, in order to attain the best results, must be particular, not general. As soon as the pupil is allowed to generalize, the qualities of carefulness, exactness and watchfulness of detail suffer and the very object of industrial training is defeated. On this subject I desire to quote from the annual report of the Pennsylvania Institution for the Deaf, Mount Airy, Pa., for the year 1897. It says: "The circumstance, as indicated by recent statistics, that our pupils do not all pursue the trade they have learned with us, need, I think, occasion little solicitude. It is simply the condition that exists everywhere and among all occupations. The learning of a trade fits one largely for any trade. There are principles underlying every form of work, and when these are once acquired, should the opportunity to take up any trade offer, it is a mere matter of a mastery of details, and its acquisition is one of the simplest things in the world. Strange as it may seem, we find the quickest, brightest boys, even in our printing office, to be those who have taken a course in sloyd. Their cases are in more perfect order, their type set with greater care and precision, their forms in better shape, their general work superior to that of the boy who has no preparatory training, and yet, what two things could be more diverse than sloyd and printing? There are numbers of our graduates who are earning a livelihood making bicycles, building wagons, working in machine shops, and in a variety of other ways for which they have had no special training here, and yet it is safe to say that they learn their trade largely with us."

Such testimony coming from an old and well established school needs no further comment. This method of industrial work is not confined to the Pennsylvania institution alone, but other schools testify to the same. In this department other improvements are in the rearrangement of the classes and the refurnishing of some of the shops.

It gives me great pleasure to speak of the renewed spirit and the increased interest shown by teachers and officers alike in the work of the whole institution. Such interest and cooperation cannot mean anything else than a vast amount of good to the school, and that the usefulness of the institution is greatly extended.

Respectfully submitted,

E. A. GRUVER,

Principal.

REPORT OF THE FINANCE COMMITTEE.

NEW YORK CITY, *November* 29th, 1900.

To the Board of Trustees of the Institution for the Improved Instruction of Deaf Mutes:

Mr. President and Gentlemen:—Your finance committee herewith present their annual report of the receipts and expenditures during the fiscal year ending October 15, 1900.

The vouchers, receipts and books of the Treasurer and Secretary have been carefully examined and found correct.

Our receipts for the past year have again been exclusively derived from dues of pupils, the amount thereof being $56,968.31, a slight increase of $242.61 over the amount of the preceding year, while our current expenses, including interest on the outstanding loan certificates, show an increase of $2,680.84, amounting in all to $57,725.83 for current expenses and $2,500 for interest.

This, of course, is principally accounted for in three items, namely: 1st. Repairs and improvements on a somewhat larger scale than usual, which had become urgently necessary, and were mostly effected during the summer vacation.

An examination of the building in all its various departments will show that this money has been judiciously expended, the details whereof will undoubtedly be furnished you by the house committee.

2d. Unusually large amounts have also been expended for school and household supplies owing to changes in our educational system and domestic management, of which particulars will also be reported by the respective committees.

3d. An increase of about $930.00 in the amount of salaries is accounted for by the employment of teachers in newly organized industrial departments.

In many items of domestic supplies, a decrease of expenditure as compared with the previous year, will be noticed, especially in the items of gas, meat, provisions, etc. Our total expenditure during the past year have exceeded our receipts by about $3,528.82, but there is every reason to hope that, owing to an increase in allowance for State pupils, this will not occur during the coming year. Close investigation of accounts has again established the fact that there has been no waste of expenditure in any department, but, that economy, consistent with good judgment in the purchase of supplies, has continually been exercised, that our house and school are well and properly furnished, our pupils clothed better, and lodged and nourished in the best possible manner.

The very insignificant amount of our bills for drugs and medical services again gives evidence of our perfect sanitary arrangements, and the unremitting care that is taken of the health of our pupils, both by our physicians and employees.

No donations of any kind have been received during the entire year, except the regular amount of interest, $50, on the investment of the Levi Goldenberg prize fund.

We have not been able to pay off any part of our outstanding loan, and for the present, there appears to be no probability of our being able to do so in the near future. The interest thereon has been and will be promptly met when due.

Your finance committee are very desirous, however, that some way might be found to start a sinking fund from which the expenditures for the betterment and repairs of the building, which will become absolutely necessary from time to time, could be paid from such resources, for the reason that the current receipts of the institution will be only sufficient to meet the expenses and the interest of the institution, and your committee deemed it proper that it be

brought to your notice; but if this plan does not seem feasible, perhaps there are other ways by which the matter can be met, all of which is respectfully submitted.

For all other particulars as to receipts and expenditures, we refer to the annexed statement.

Respectfully submitted.

J. HAMMERSLOUGH,

Chairman of Finance Committee.

ANNUAL FINANCIAL STATEMENT.

Receipts.

Dues of pupils	$56,968 31
Interest on Levi Goldenberg prize fund	50 00
Total receipts	$57,018 31

Expenditures.

Meat	$5,393 01
Bread	1,600 78
Milk	1,222 58
Drugs	70 97
Groceries and provisions	4,500 11
Repairs and improvements	5,989 95
Gas	543 32
Furniture and bedding	1,343 06
Dry goods and clothing	2,812 49
Boots and shoes	711 58
Crockery and hardware	445 28
Stationery, printing, postage and advertising	400 54
School books and other supplies	1,168 42
Ice	148 81
Fuel	1,881 10

Salaries of teachers and employees	$22,903 50
Servants' wages	4,549 79
Medical services	270 50
Traveling and transportation of pupils and employees	276 55
Board of pupils during vacation	139 85
Fire insurance	178 20
Telephone account	55 41
Household supplies	1,120 03
Total current expenses	$57,725 83
On building account	300 00
Interest on loan certificates	2,500 00
Expended from library fund	21 30
Total expenditures	$60,547 13

Recapitulation.

Cash on hand October 15, 1899	$6,406 32
Cash on hand in petty cash October 15, 1899	27 79
Due from counties	7,936 45
Receipts as specified	57,018 31
	$71,388 87

Expenditures as specified	$60,547 13
Amount due by counties	7,226 85
Cash on hand October 15, 1900	3,514 75
Cash on hand in petty cash October 15, 1900	100 14
	$71,388 87

Cost of Building.

To October 15, 1899	$201,055 45
Expended during the year	300 00
Total cost to date	$201,355 45

Building Loan at Five Per Cent.

Balance outstanding October 15, 1899	$50,000 00
Issued during the year	None.
Balance outstanding October 25, 1900	$50,000 00

Library Fund.

Balance October 15, 1899	$25 12
Expended during the year	21 30
Balance on hand October 15, 1900	$3 82

Levi Goldenberg Prize Fund.

Balance on hand October 15, 1899	$40 00
Amount received for interest	50 00
Balance on hand October 15, 1900	$90 00

MEDICAL REPORT.

NEW YORK, *October* 29, 1900.

To the President and the Members of the Board of Trustees of the Association for the Improved Instruction of Deaf-Mutes:

Gentlemen—It is a subject for mutual felicitation that your attending physician is again able to report that there was scarcely any serious illness among the pupils during the year just elapsed.

Two cases of pneumonia were treated in the institution, and made smooth and satisfactory recoveries. One little girl was taken ill with acute tuberculous inflammation of the glands of the neck, on which account she was removed to the German hospital for operation; after a rather protracted stay there she was returned to us, and it was then found that the disease had invaded her lungs, whereupon she was transferred to St. Joseph's hospital by the desire of her parents.

We were specially fortunate in having been spared from any serious cases of contagious disease, the only ones of that class of illness having been mumps (eleven cases) and varicella (four cases), an extremely gratifying state of affairs.

It was deemed advisable to vaccinate the pupils; consequently, after receiving the consent of the parents, this was done in the institution.

As usual, there were a number of slight ailments among the children, but these were even less numerous than formerly and do not call for special mention.

Respectfully submitted,

L. M. MICHAELIS,

Attending Physician.

In the Matter of the Application of "The Association for the Improved Instruction of Deaf-Mutes" to Become a Body Corporate.

The subscribers being of full age, citizens of the United States and citizens of and residents within the State of New York, hereby certify that they desire to associate themselves together for benevolent, charitable and scientific purposes hereinafter expressed; and that they and their successors may become a body politic and corporate under and by virtue of the act of the Legislature of the State of New York for the incorporation of benevolent, charitable, scientific and missionary societies passed April 12th, 1848, and the acts amendatory thereof, they do hereby, in compliance with the same acts, make, sign and acknowledge this certificate in writing as follows, to-wit:

Firstly.

The name and title by which such society shall be known in law is "The Association for the Improved Instruction of Deaf-Mutes."

Secondly.

The business thereof shall be conducted in the city and county of New York.

Thirdly.

The particular business and objects thereof shall be:

To introduce the articulate method of instructing deaf-mutes as practiced in Germany, by the establishment of an institution based upon the Eclectic system.

To provide for the instruction and support of poor deaf-mutes.

Fourthly.

The trustees of such society shall be fifteen in number.

Fifthly.

The names of the trustees of such society for the first year of its existence as a corporation are as follows.

Mark Blumenthal,	Lewis J. Phillips,
Isaac Rosenfeld,	Philip Frankenheimer,
Jacob Silberman,	Jonas Sonneborn,
Cornelius Rose,	I. Solis Ritterband,
Adolphus G. Mandel,	James H. Hoffman,
Isaac S. Solomon,	S. M. Peyser,
S. D. Rosenbaum,	Siegmund T. Meyer,

Leopold Bamberger.

In witness whereof they have hereunto set their hands and seals at the City of New York, this seventh day of January, 1869.

(L. S.) MARK BLUMENTHAL.
(L. S.) L. J. PHILLIPS.
(L. S.) JACOB SILBERMAN.
(L. S.) JAMES H. HOFFMAN.
(L. S.) CORNELIUS ROSE.
(L. S.) ISAAC ROSENFELD.

STATE OF NEW YORK, }
City and County of New York, } *ss.:*

On this seventh day of January, one thousand eight hundred and sixty-nine, before me personally appeared Mark Blumenthal, Lewis J. Phillips, Jacob Silberman, James H. Hoffman, Cornelius Rose and Isaac Rosenfeld, to me known to be the individuals described in and who execute the foregoing certificate and severally acknowledged to me that they signed and executed the same for the uses and purposes therein mentioned.

MYER S. ISAACS.
Notary Public, New York City.

Endorsement.

I approve of the within certificate as to its form and manner of execution, and consent that it be filed in the offices of the Secretary of the State of New York and clerk of the city and county of New York.

Dated New York, January 8th, 1869.

D. P. INGRAHAM,

(Filed January 11th, 1869.) Justice.

STATE OF NEW YORK, }
Office of the Secretary of State, } *ss.:*

I have compared the preceding with the original certificate of incorporation of The Association for the Improved Instruction of Deaf-Mutes, with the acknowledgment thereto annexed, filed in this office on the ninth day of January, 1869, and hereby certify the same to be a correct transcript therefrom and of the whole of said certificate.

Witness my hand and seal of office of the Secretary of State, at the city of Albany, this ninth day of January, one thousand eight hundred and sixty-nine.

D. WILLERS, JR.,

Dep. Secretary of State.

STATE OF NEW YORK, }
City and County of New York, } *ss.:*

I, Charles E. Loew, clerk of the said city and county, and clerk of the Supreme Court of said State for said county, do certify that I have compared the preceding with the original certificate of incorporation of The Association for the Improved Instruction of Deaf-Mutes on file in my office, and that the same is a correct transcript therefrom, and of the whole of such original.

In witness whereof, I have hereunto subscribed my name, and affixed my official seal, this 11th day of January, 1869.

CHAS. E. LOEW,

Clerk.

BY-LAWS.

Article I.—Of the Members.

Section 1. There shall be three grades of membership: regular, life and honorary.

§ 2. Regular members shall be elected by the board of trustees. A candidate for regular membership may be proposed at any regular meeting of the board by a trustee, or by a letter of proposal from a member addressed to the board. The name may be acted upon at a subsequent meeting of the board, and the candidate shall become a member if approved by the unanimous vote of the members present. Any candidate not favorably acted upon within two regular meetings after the name has been proposed, shall not be elected to membership, except after being again regularly proposed.

§ 3. Any person who shall donate to the association $100, or any greater sum, may, by unanimous vote of the members present, be elected a life member of the association at any regular meeting of the board.

§ 4. Any person who shall have rendered eminent service to the association or to the objects for which it was chartered, may be nominated for honorary membership, and may, by unanimous vote of the board at the next succeeding regular meeting thereof, be elected an honorary member of the association.

§ 5. Any member, regular, life or honorary, may, for good and sufficient cause, be stricken from the roll of the association by the board at any regular meeting thereof; such action shall not, however, be taken until after written notice of such proposed action

has been given to such member at least ten days before the meeting of the board, nor until an opportunity shall have been given to him to appear personally before the board to oppose such action.

§ 6. No other than a regular or a life member shall be eligible as an officer or trustee or be entitled to vote at any meeting.

Article II.—Of Meetings.

Section 1. The annual meeting of the association shall take place during the second half of the month of October, at such time and place as the board of trustees shall appoint: written notice thereof shall be sent to each member at least ten days before the date set therefor. At such meeting the trustees for the ensuing year shall be elected, the annual report of the board read, and such other business transacted as may properly come before the meeting. Before the election of trustees at such annual meeting, two inspectors of election shall be chosen by the members present. They shall act as tellers of the vote, and shall report the result thereof to the president.

§ 2. A special meeting of the members of the association may be called at any time by the board of trustees, and shall be called at any time upon the written application of ten members, duly signed by them and addressed to the secretary.

§ 3. Written notice of any special meeting of the association shall be sent every member at least five days before the day set therefor, and the object of such meeting shall be stated in the call.

§ 4. The members present at any regular meeting of the association shall constitute a quorum. To constitute a quorum at any special meeting at least twenty voting members must be present.

Article III.—Of the Board of Trustees.

Section 1. The board of trustees shall consist of fifteen members, who shall be chosen as hereinafter set forth. In it shall be vested

all executive powers of the association, and, in particular, the care, maintenance and supervision of the institution carried on by it. It shall have power by a two-thirds vote of all its members to pledge the credit of the association by proper instrument or any other method to borrow money to carry out the purposes of the associaiton.

§ 2. At each annual meeting of the board, five trustees shall be elected by a majority of all the votes cast, who shall take the place of the five trustees whose term of office then expire. They shall serve for three years, or until their successors respectively are elected or appointed.

§ 3. It shall, at the first meeting following the annual meeting, elect from among its number a president, a first vice-president, a second vice-president, a treasurer, and a secretary, each of whom shall hold office for one year, or until his successor is appointed. It shall, at that meeting, appoint an assistant secretary, who shall hold his position at the pleasure of the board.

§ 4. It shall also at that meeting select from among its number the members of the following committees:

(a) The house committee,

(b) The school committee,

(c) The finance committee,

(d) The library and entertainment committee,

and shall appoint the chairman thereof. Each of these committees shall consist of at least three members.

§ 5. The board shall, at its meeting next preceding the annual meeting of the association, appoint a committee of three, which shall prepare a slate of officers for the ensuing year to submit to the board at its succeeding meeting. The committee shall consist of members of the board or of members of the association, or of both.

§ 6. The board shall have power to appoint special committees at any time, and for any purpose deemed proper by it, and to delegate to such special committees any of its powers.

§ 7. The board of trustees shall submit to the annual meeting of the association a detailed report of the affairs of the association and of the proceedings of the board and of its committees.

§ 8. The board shall fill any vacancy among its members until the next annual meeting of the association.

§ 9. The board shall meet regularly at least once in every month, except in the months of July and August. Special meetings of the board may be called at any time by the president, or by any three trustees by written application duly signed by them addressed to the secretary, and stating the object of the meeting. Eight members shall constitute a quorum. At any regularly called meeting where less than a quorum shall be present, however, at least five members of the board may constitute themselves an executive committee of the board for the purpose of passing the regular duly audited bills, and the transacting of necessary routine business and taking action on such matters as may not bear delay.

§ 10. Written notice of every meeting of the board shall be sent by mail to every member at least three days before the date set therefor.

ARTICLE IV. OF THE OFFICERS, COMMITTEES, AND PRINCIPAL.

Section 1. The president shall preside at all meetings of the members of the association and of the board of trustees; appoint all special committees unless otherwise ordered by the board; sign all orders for the payment of money, and authenticate all documents when so directed by the board. He shall be ex officio a member of all committees. In the absence of the president the vice-president shall act as president pro tem. In the absence of the president and

first vice-president, the second vice-president shall act as president pro tem. In the absence of the president and both vice-presidents the board shall appoint a president pro tem.

The Vice-Presidents.

Section 2. Either vice-president, or any president pro tem, appointed by the board in case of the absence of the president and vice-presidents, or their inability to perform the duties of the office, shall, during such absence or disability, be competent to perform all acts pertaining to the office of president.

The Treasurer.

Section 3. The treasurer shall, before entering upon his duties, give a bond approved as to form and amount by the board of trustees, which shall cover his tenure of office, and be conditioned upon the faithful performance of his duties. He shall collect all money due the association which shall be deposited in the name of the association in banks or trust companies designated by the board; sign orders for all money directed to be paid by the board; lay before the board, at every stated meeting thereof an account of the receipts and expenditures for the preceding month, and of the financial status of the association. He shall have charge of all bonds, mortgages and other securities belonging to the association, which shall be kept under the direction of the committee on finance, and he shall annually submit to the board a detailed list of the same, and shall, prior to the annual meeting of the members of the association in October, submit to the president his annual report up to the 15th day of October. In case of the absence of the treasurer, or of his inability to act, he shall appoint for the period of such absence or inability a treasurer pro-tem. from among the members of the board, who shall incur all obligations and perform all duties incident to the office of treasurer, without, however, relieving the treasurer of his bond.

The Secretary.

Section 4. The secretary shall keep correct minutes of all meetings of the association and of the board of trustees, fair copies of which shall be kept at the institution for the inspection of members of the association. He shall conduct the correspondence of the board, unless otherwise ordered. He shall have the custody of the seal and authenticate all documents when so ordered by the board. He shall countersign all orders for the payment of money. He shall also keep an alphabetical list of the members of the association and submit the same to the inspection of the trustees when so requested. He shall give notice of all meetings of the association and of the board or trustees. The assistant secretary shall be under the supervision and control of the secretary and shall perform the detail work connected with the office.

The House Committee.

Section 5. The house committee shall, under the direction of the board, have charge of the domestic management of the whole institution, of all buildings and repairs thereto. All household supplies and materials for the buildings under its control shall be purchased under its supervision, and it shall carefully examine the monthly salary list of the household officers, the payroll of wages, and all bills, before submitting them to the board for payment, and no such bill shall be presented to the board unless certified to by a member of the committee in writing; it shall purchase such articles as may be required for the use of the institution in its department; have a careful supervision of the buildings under its control, and of the general economy of the institution, and of the health, comfort and safety of the inmates. The chairman may, at his discretion, call a special meeting of the committee on one day's notice, and

shall do so on the written request of two members, stating the object thereof. The committee shall keep minutes of its proceedings and make a report thereof to the board at every regular meeting.

The School Committee.

Section 6. The school committee shall, under the direction of the board, have charge of the educational work of the institution, including the Industrial department. It shall appoint all teachers, and instructors in industrial work; it shall approve of all school books before the same are introduced into the school; it shall see that the school is properly supplied with all articles requisite for the proper instruction of the pupils; it shall submit to the board any measure which in its opinion would advance the education of the pupils. It shall carefully examine the monthly salary list of the teachers and instructors and all bills for educational supplies before presenting them to the board for payment, and no such bill shall be presented to the board unless certified to by a member of the committee in writing; it shall purchase such articles as may be required for the use of the institution in its department; it shall have charge of the admission and dismissal of pupils. It shall be its duty to enforce all educational regulations in the institution, to punish any infraction thereof, to see that proper discipline is maintained in the schoolrooms; it shall provide for an annual examination of the pupils. The principal shall be a member of the school committee and shall act as its secretary. The chairman may call a special meeting of the committee on one day's notice, and shall do so on the written request of two members of the committee, stating the object thereof. The committee shall keep regular minutes of its proceedings and make a report thereof to the board at every regular meeting.

The Finance Committee.

Section 7. The finance committe shall, under the direction of the board, have charge of the finances of the association, and shall see to the insurance of its property, and shall in conjunction with the treasurer, make such investments as the board may authorize and examine and audit the treasurer's annual account. It shall make a detailed report of the condition of the finances of the association whenever requested. It shall make up for the annual meeting of the association the budget for the ensuing year, which shall be incorporated in the report of the board, and shall before that meeting submit to the president a detailed statement of the financial transactions of the association during the preceding year.

The Library and Entertainment Committee.

Section 8. The library and entertainment committee shall have general charge of the library and supervision over the librarian. It shall provide for the suitable entertainment and recreation of the pupils.

The Principal.

Section 9. The institution shall be under the direct management and supervision of a principal who shall be appointed by the board of trustees. He shall be its responsible representative, and shall be accountable to it and to its committees for the orderly management of all departments of the institution. His duties shall be more particularly defined by the board of trustees and its committees, and he shall be at all times subject to their instructions.

Article V.—Of Funds.

Section 1. None of the funds of the association shall be paid out except upon order of the board or its executive committee, and then only upon warrant of its president and treasurer, duly countersigned

by the secretary. In the case of the inability or absence of the president, such warrants shall be signed by the first or second vice-president, and in the case of the absence or inability of the secretary, it shall be countersigned by the chairman of the finance committee.

Article VI.—Order of Business.

Section 1. Order of business for the meetings of the board of trustees shall be as follows:

1. Reading of minutes.
2. Reports by the chair.
3. Treasurer's report.
4. Reports of standing committees.
5. Reports of special committees.
6. Nomination and election of members.
7. Unfinished business.
8. New business.

§ 2. Order of business for annual meetings of the association shall be as follows:

1. Reading of the minutes.
2. Annual report of the board of trustees.
3. Reports of special committees.
4. Election of trustees.
5. Unfinished business.
6. New business.

Article VII.—Amendments.

Section 1. These by-laws may be amended at any meeting of the association by a vote of two-thirds of the members present, provided that the general form of the proposed amendment shall have been approved by the board of trustees, and the purpose of the meeting of the association embodied in the notice thereof sent to its members.

LAWS OF THE STATE OF NEW YORK.

CHAPTER 325.

AN ACT to provide for the care and education of indigent deaf-mutes under the age of twelve years, as amended April twelfth, eighteen hundred and seventy.

Passed, April 25, 1862.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Whenever a deaf-mute child, under the age of twelve years, shall become a charge for its maintenance on any of the towns or counties of this state, or shall be liable to become such charge, it shall be the duty of the overseer of the poor of such town, or of any supervisor of the county where such child may be, to place such child in the New York Institution for the Deaf and Dumb, or in the Institution for the Improved Instruction of Deaf-Mutes.

§ 2. Any person, guardian or friend of a deaf-mute child, within this state, over the age of six years and under the age of twelve years, may make application to the overseer of the poor of any town, or to any supervisor of the county where such child may be, showing by satisfactory affidavit or other proof that the health, morals or comfort of such child may be endangered, or not properly cared for, and thereupon it shall be the duty of such overseer or supervisors, if satisfied that the parents or natural protectors of such child are, or such child is, in indigent circumstances, to place such child in the New York Institution for the Deaf and Dumb, or in the Institution for the Improved Instruction of Deaf-Mutes

§ 3. The children placed in said institution, in pursuance of the foregoing sections, shall be maintained therein at the expense of the county from whence they came, provided that such expense shall not exceed one hundred and fifty dollars each per year, until they attain the age of twelve years, unless the director of said institution shall find, as to any such child, that it is not a proper subject to remain in said institution.

§ 4. The expense for the board, tuition and clothing of such deaf-mute children, placed as aforesaid in said institution, not exceeding the amount of one hundred and fifty dollars per year, above allowed, shall be raised and collected as are other expenses, for the support of the poor of the county from which said child shall be received; and the bills therefor, properly authenticated by the principal, or one of the officers of said institution, shall be paid to said institution by the said county; and its county treasurer or chamberlain, as the case may be, is hereby directed to pay the same on presentation, so that the amount thereof may be borne by the proper county.

§ This act shall take effect immediately.

CHAPTER 725.

AN ACT to increase the compensation authorized by the act entitled "An act to provide for the care and education of indigent deaf-mutes under the age of twelve years," passed April twenty-fifth, eighteen hundred and sixty-three.

Passed, April 24, 1867.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The expenses of the board, tuition and clothing of the children under the age of twelve years placed in the New York Institution for the Instruction of Deaf and Dumb, or in the

Institution for the Improved Instruction of Deaf-Mutes, pursuant to the provisions of the third and fourth sections of chapter three hundred and twenty-five, laws of eighteen hundred and sixty-three, shall, until otherwise directed by law, be estimated at the rate of two hundred and thirty dollars per capita, instead of the amount therein provided.

§ 2. This act shall take effect September first, eighteen hundred and sixty-seven.

(Extract from chapter 552, Laws of 1864, title 1, section 8)

Every indigent person, resident of this state, between twelve and twenty-five years of age, whose parent or parents, or if an orphan, whose nearest friend, shall have been resident in this state for three years preceding, and who may make application for that purpose, shall be received, if deaf and dumb, in the Institution for Deaf and Dumb; provided his or her application be approved by the superintendent of public instruction; and in those cases where, in his opinion, absolute indigence is not established, he may approve of such application, and at the same time may impose conditions whereby some proportionate share of the expenses of educating and clothing such pupils shall be paid in the treasury by their parents, guardians or friends, in such way and manner, and at such time or times as he shall designate, which condition he may subsequently modify as he shall deem expedient.

CHAPTER 180.

AN ACT relative to the care and education of deaf-mutes.

Passed April 12, 1875; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections one and two of an act entitled "An act to provide for the care and education of indigent deaf-mutes under

the age of twenty years," passed April twenty-fifth, eighteen hundred and sixty-three, are severally hereby amended by adding to and inserting therein after the words "New York Institution for the Deaf and Dumb" whenever the same occur in said sections, respectively, the words following, viz., "or the Institution for the Improved Instruction of Deaf-Mutes."

§ 2. All provisions of law now existing, fixing the expense of the board, tuition and clothing of children under twelve years, placed in the New York Institution for the Instruction of the Deaf and Dumb, shall apply to children who may, from time to time, be placed in the Institution for the Improved Instruction of Deaf-Mutes, in the same manner and with like effect as if said last-mentioned institution had also been originally named in the acts fixing such compensation, and as if said acts had provided for the payment thereto the institution last-mentioned, and the bills therefor, promptly authenticated by the principal, or one of the officers of the last-mentioned institution, shall be paid to said institution by the counties respectively from which such children were severally received, and the county treasurer or chamberlain, as the case may be, is hereby directed to pay the same on presentation, so that the amount thereof may be borne by the proper county.

§ 3. Sections nine and ten of title one of an act entitled "An act to revise and consolidate the general acts relating to the public instruction," passed May second, eighteen hundred and sixty-four, are hereby amended, so that the same shall extend and apply to the said "Institution for the Improved Instruction of Deaf-Mutes," in the like manner and with the like effect as if the said last-mentioned institution, as well as the other therein mentioned, had originally been named in the said sections respectively.

§ 4. This act shall take effect immediately.

CHAPTER 213.

AN ACT relative to the care and education of deaf-mutes.

Passed April 29, 1875; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of chapter three hundred and twenty-five of the laws of eighteen hundred and sixty-three, entitled "An act to provide for the care and education of indigent deaf-mutes under the age of twelve years, as amended by chapter one hundred and eighty of the laws of eighteen hundred and seventy, and chapter five hundred and forty-eight of the laws of eighteen hundred and seventy-one," is hereby further amended so as to read as follows:

§ 1. Whenever a deaf-mute child, under the age of twelve years, shall become a charge for its maintenance on any of the towns or counties of this state or shall be liable to become such charge, it shall be the duty of the overseer of the poor of the town, or of the supervisors of said county, to place such child in the New York Institution for the Deaf and Dumb, or in the Institution for the Improved Instruction of Deaf-Mutes, or in the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes in the city of Buffalo, or in the Central New York Institution for Deaf-Mutes in the city of Rome, or in any institution in the state for the education of deaf-mutes.

§ 2. Section two of chapter three hundred and twenty-five of the laws of eighteen hundred and sixty-three, as amended by chapter one hundred and eighty of the laws of eighteen hundred and seventy, and chapter five hundred and forty-eight of the laws of eighteen hundred and seventy-one, is hereby further amended so as to read as follows:

§ 2. Any parent, guardian or friend of a deaf-mute child, within this state, over the age of six years and under the age of twelve

years may make application to the overseer of the poor of any town, or to any supervisor of the county where such child may be, showing by satisfactory affidavit or other proof, that the health, morals or comfort of such child may be endangered, or not properly cared for, and thereupon it shall be the duty of such overseer or supervisor to place such child in the New York Institution for the Deaf and Dumb, or in the Institution for the Improved Instruction of Deaf-Mutes, or in the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes in the city of Buffalo, or in the Central New York Institution for Deaf-Mutes in the city of Rome, or in any institution in the state for the education of deaf-mutes.

§ 3. Sections three and four of chapter three hundred and twenty-five of the laws of eighteen hundred and sixty-five, are hereby amended so as to read as follows:

§ 3. The children placed in said institutions, in pursuance of the foregoing sections, shall be maintained therein at the expense of the county from whence they came, provided such expense shall not exceed three hundred dollars each per year, until they attain the age of twelve years, unless the directors of the institution, to which a child has been sent, shall find that such child is not a proper subject to remain in said institution.

§ 4. The expenses for board, tuition and clothing for such deaf-mute children, placed as aforesaid in said institutions not exceeding the amount of three hundred dollars per year, above allowed, shall be raised and collected as are the other expenses of the county from which such children shall be received; and the bills therefor, properly authenticated by the principal or one of the officers of the institution, shall be paid to said institution by the said county; and its county treasurer or chamberlain, as the case may be, is hereby directed to pay the same on presentation, so that the amount thereof may be borne by the proper authorities.

§ 5. Sections nine and ten of title one of chapter five hundred and fifty-five of the laws of eighteen hundred and sixty-four, entitled "An act to revise and consolidate the several acts relating to public instruction," is hereby amended so as to read as follows:

§ 9. Every person resident in this state, between twelve and twenty-five years of age, whose parent or parents, or if an orphan, whose nearest friend shall have been a resident in this state for the three years preceding, and who may make application for that purpose, shall be received into one of the following-named institutions, viz.: The New York Institution for the Instruction of the Deaf and Dumb; the Institution for the Improved Instruction of Deaf-Mutes; the Le Couteulx St. Mary's Institution for the Improved Instruction of Deaf-Mutes in the city of Buffalo, or the Central New York Institution for Deaf-Mutes in the city of Rome, or in any institution in this state for the education of deaf-mutes,* either of the institutions aforesaid shall be provided with board, lodging and tuition, and the directors of said institution shall receive for each pupil so provided for the sum of three hundred dollars per annum, in quarterly payments, to be paid by the treasurer of the state, on the warrant of the comptroller, to the treasurer of said institution, on his presenting a bill showing the actual time and number of such pupils attending the institution, and which bill shall be signed by the president and secretary of the institution, and verified by their oaths. The regular term of instruction of such pupils shall be five years; but the superintendent of public instruction may, in his discretion, extend the term of any pupil for a period not exceeding three years. The pupils provided for in this and the preceding section of this

* So in the original; probably an omission.

title shall be designated state pupils, and all the existing provisions of law applicable to state pupils now in said institution shall apply to pupils herein provided for.

§ 6. This act shall take effect immediately.

CHAPTER 36.

AN ACT to further amend an act, entitled "An act to provide for the care and education of indigent deaf-mutes under the age of twelve years (chapter three hundred and twenty-five of the laws of eighteen hundred and sixty-three)," passed April twenty-nine, eighteen hundred and sixty-three.

Approved by the Governor, February 18, 1892; passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two of chapter three hundred and twenty-five of the laws of eighteen hundred and sixty-three, as heretofore amended, is hereby further amended so as to read as follows:

§ 2. Any parent, guardian or friend of a deaf-mute child, within this state, over the age of five years and under the age of twelve years, may make application to the overseer of the poor of any town or to any supervisor of the county where such child may be, showing, by satisfaction affidavit or other proof, that the health, morals or comfort of such child may be endangered, or not properly cared for, and thereupon it shall be the duty of such overseer or supervisor to place such child in the New York Institution for the Deaf and Dumb, or in the Institution for the Improved Instruction of Deaf-Mutes, or in the Le Couteulx Saint Mary's Institution for the Improved Instruction of Deaf-Mutes in the city of Buffalo, or in the Central New York Institution for Deaf-Mutes in the city of Rome, or in the Albany Home School for the Oral Instruction of

the Deaf at Albany, or in any institution in the state for the education of deaf-mutes, as to which the board of state charities shall have made and filed with the superintendent of public instruction a certificate to the effect that said institution has been duly organized and is prepared for the reception and instruction of such pupils.

§ 2. This act shall take effect immediately.

TERMS OF ADMISSION.

1. This institution is intended for children who are either entirely or partially deaf, in consequence of congenital or adventitious deafness, and who cannot be educated in common schools.

2. Candidates for admission must be over five and under fourteen years of age, of ordinary intelligence and constitutional vigor, and free from contagious diseases. They must pass a satisfactory medical examination regarding these points.

3. Pay pupils from our own State are charged $300 a year, payable semi-annually in advance. This sum provides for tuition, board, washing and medical treatment in ordinary cases of sickness.

4. Pupils between the ages of five and twelve years to be supported at public expense are admitted to the institution by a certificate from the county supervisor. Those over twelve must procure, either directly or through the principal of the institution, a certificate from the Superintendent of Public Instruction at Albany. Blanks and all information as to these requirements will be cheerfully furnished on application to the principal.

5. All pupils entering the institution are admitted for the current school year. No deduction will be made from the annual charge in consequence of absence or on any account whatever, nor will the tuition fee, or any portion thereof, be refunded in case of withdrawal of pupils before the expiration of the school term.

6. The board of trustees reserves to itself and its officers the right to dismiss any pupil.

7. The annual vacation extends from the third Wednesday in June until the first Wednesday in September. All pupils are expected to be taken to their homes at this time.

8. All inquiries and applications for the admission of pupils must be made to the principal at the institution.

REGULATIONS OF THE MEDICAL BOARD.

1. The medical board shall consist of five members, one of whom shall be known as the regular attending physician and one of whom shall be a representative of each of the following branches of the medical profession:

1. Oculist and aurist, dermatologist, surgeon, and of the chairman of the house committee of the board of trustees. The latter shall be the chairman of the medical board.

II. The members of this board shall be appointed annually by the board of trustees during the month of January in each year, and shall hold their office during the pleasure of the board of trustees. There shall also be appointed a regular dentist to the institution.

III. The duties of the attending physician shall be:

1. To promptly examine each proposed pupil, and report as to his acceptability to the principal.

2. To visit the institution upon Monday and Friday of each week.

3. To make such an examination of each pupil during the month of October in each year, and at such intervals thereafter as shall, in his opinion and the opinion of the medical board, be necessary to properly safeguard the health of the pupils. There shall, however, be not less than three such examinations during each school year.

4. To keep, or cause to be kept, in a book to be provided for that purpose, an accurate record of the medical condition of each pupil in the institution, showing his condition at entrance and at each examination held as above provided for, together with such additional data and information as shall make said book an accurate medical history of each of said pupils.

5. To investigate any cases of disease or illness occurring within

the institution in pupils or other inmates, and to take such measures as may be proper to protect the health of the pupils and inmates of the institution.

6. To examine into and take measures to safeguard the sanitary condition of the institution and its inmates.

7. To make a report to the regular monthly meeting of the board of trustees of the medical and sanitary condition of the institution and its pupils.

IV. It shall be the duty of the aurist to promptly examine each admitted pupil and to cause the result of his examination to be incorporated in the medical records of the institution. He shall also take such measures to improve the conditions of the organs of the pupils examined by him as his investigation shall show to be proper, provided there is no objection made by the parent or guardian after due notice.

V. It shall be the duty of the various specialist members of the medical board to attend such cases as shall lie within their province; these cases shall be sent to them by the attending physician whenever in his opinion their services shall be required.

VI. There shall be a meeting of the medical board during the month of February in each year, the exact date of which shall be fixed by the chairman. There shall be meetings of the medical board at such other times as the chairman shall consider necessary. A meeting of the board shall be called at any time by the chairman at the request of any two of its members.

LIST OF MEMBERS.

Life Members.

August, Elias.
August, George.
Bernheim, Charles L.
Bernheimer, Simon.
Bliss, Cornelius N.
Blum, Hyman.
Blumenthal, August.
Bonn, William B.
Brown, Levi L.
Bruhl, Moses.
Chaim, Dr. M. L.
Cohen, Henry.
Cornell, J. M.
Einstein, David L.
Einstein, Edwin.
Glazier, Simon W.
Goldman, Mrs. M.
Goldschmidt, Daniel.
Goldsmith, Louis.
Grissler, Gottlieb.
Hammerslough, Edward.
Hammerslough, Julius.
Heidelbach, Alfred S.
Heilbrun, Adolph.
Herrmann, Nathan.
Juilliard, A. D.
Kohn, Julius S.
Krohn, Franz.
Levy, Samuel.
Lewis, Walter H.
Loth, Joseph.
McCreery, James.
MacLean, A.
Mandel, Leon.
Mandell, Kaufman.
Mertens, William.
Meyer, Max.
Munzesheimer, H.
Nathan, Harmon H.
Naumburg, E.
Neustadt, Siegmund.
Phillips, Lewis J.
Rosenbaum, S. D.
Rothfeld, Sol.
Rothschild, Jacob.
Rothschild, Ludwig.
Rothschild, V. Henry.
Rothschild, William.
Schiff, Jacob H.
Schiffer, L. G.
Schoolherr, Louis.
Seeberger, Louis.
Shepard, Frederick M.
Sidenberg, Henry.

Siedenburg, Rhinehard.
Smith, John L.
Speyer, James.
Stein, Myer.
Stix, Louis.
Straus, Oscar S.
Strauss, Adolph.
Sulzbacher, William.
Tefft, William E.
Townsend, F. R.
Vietor, George.
Weill, Alexander.
Wendell, Jacob.
Wiemuth, Carl.
Yankauer, E.
Zucker, Alfred.

Regular Members.

Achelis, Frederick.
Adler, Felix.
Albert, Dr. H.
Allen, Charles G.
Allen, Henry S.
Altman, Benjamin.
Ansbacher, A. B.
Asiel, Elias.
August, Daniel.
Bach, Siegmund J.
Baer, M. B.
Bamberger, Hermann.
Bernhard, Abraham.
Bernheim, Henry.
Bernheimer, Jerome.
Bien, Julius.
Blum, Albert.
Blumenthal, Isaac.
Blumenthal, Dr. M.
Borg, Simon.
Boskowitz, Adolph.
Buchman, Albert.
Cahn, Charles.
Cahn, Leopold.
Calman, Emil.
Calman, Mrs. E.
Cohen, Bernard.
Cohen, S. M.
Demuth, William.
Deppler, John.
Dormitzer, Henry.
Dreyfuss, Ludwig.
Dreyfuss, Miss J.
Dryfoos, Louis.
Eckman, S. H.
Eidlitz, Otto M.
Einstein, Henry L.
Elfelt, Aug. B.
Eppinger, I.
Fechheimer, Martin.
Fellheimer, August.
Frankenberg, David.
Frankenheim, Max.
Frankenheimer, John.

Frankenheimer, L. S.
Frankenheimer, Miss R.
Frankenthal, M. M.
Frankfield, A.
Friedman, A.
Friend, Mrs. Sol.
Fries, Charles.
Fuld, Julius.
Gernsheim, Michael.
Goldman, Dr. Julius.
Goldman, Marcus.
Goldsmith, Gust. A.
Greene, David.
Greenbaum, D. S.
Gruver, E. A.
Hahlo, Herman.
Hamburger, Isaac.
Hammerslough, Samuel.
Hart, Abraham.
Hays, Miss C.
Hellman, M.
Hendricks, Miss Eleanor.
Henriques, Clarence A.
Henry, Miss Florence.
Henry, Miss Mabel.
Herrmann, Adolph.
Herzog, Miss Belle.
Herzog, Edward N.
Herzog, Paul M.
Herrmann, Isaac.
Hesslein, S. A.
Hoffman, Emil.
Hollander, B.
Hornthal, L. M.
Horwitz, Otto.
Jacobi, Dr. A.
Jacobs, Samuel F.
Jaffé, Otto M.
Kaufmann, Baruch.
Kaufmann, Gottlieb.
Kayser, Max.
Klaber, Adolph.
Knapp, Dr. H.
Kohlmann, Charles.
Kohn, Dr. Samuel.
Lauer, William E.
Lawson, Robert.
Lederer, Samuel.
Lehman, Arthur.
Lehman, Meyer.
Levenson, Louis.
Levine, Julius.
Levy, Adolph.
Levy, F. H.
Levy, Lazarus.
Lewisohn, Leonard.
Lichtenauer, J. M.
Loeb, Solomon.
Loeb, Miss R.
Lowenthal, Julius.

Mayer, Oscar.
Mayer, Siegfried W.
Mendel, M. W.
Morgenthau, Henry.
Morrison, Ed.
Mosenthal, Hermann.
Mosenthal, Philip J.
Moses, Sol.
Nathan, Harold.
Nathan, Mrs. H.
Neukirch, Charles.
Neustadter, Henry.
Newman, Henry.
Nuboer, F. W.
Oppenheimer, Max.
Ottenheimer, Sol.
Peck, A. L.
Pfeiffer, Adolph.
Prochownick, Adolph.
Ranger, Sol.
Rice, Henry.
Rindskopf, M.
Rose, Cornelius.
Rosenbaum, Mrs. S.
Rosenblatt, Leo G.
Rosenblatt, Mrs. L. G.
Rosenfeld, George.
Rothschild, Mrs. M.
Rothschild, Maurice.
Russak, Frank.
Sachs, Dr. Julius.
Sachs, Samuel.
Samson, Felix.
Schafer, Samuel M.
Schafer, Simon.
Schiele, Louis.
Schlesinger, Charles.
Schram, L. B.
Seligman, Maurice.
Shenfield, Abr.
Sheftel, Ad.
Sidenberg, Gustavus.
Sidenberg, Richard.
Silberman, Jacob.
Simonson, Sali.
Sinsheimer, Leopold.
Sondheim, Phineas.
Sonneborn, Jonas.
Spiegelberg, Levi.
Stein, Sol.
Steinhart, Israel.
Steinman, Karl.
Stieglitz, Edward.
Stine, Miss S.
Strasburger, Louis.
Strauss, Ned.
Sykes, Miss S.
Thalmann, Ernst.
Thalmessinger, M.
Thurnauer, Felix.
Traub, Sol.
Tuska, M.

Ullman, B.
Wallach, Isaac.
Walter, Philip.
Wehle, Theodore.
Weinberg, Ansel.
Weissman, Leopold.
Werner, Ernest.
Wolff, Mrs. F.
Wolff, Franz.
Wormser, Abraham.
Yankauer, David.
Zinn, Adolph.

ANNUAL REPORT

OF THE

State Racing Commission

TO THE

Legislature of the State of New York.

AUGUST BELMONT,
E. D. MORGAN,
JOHN SANFORD,
Commissioners.

TRANSMITTED TO THE LEGISLATURE APRIL 23, 1901.

ALBANY:
JAMES B. LYON, STATE PRINTER.
1901.

STATE OF NEW YORK.

No. 80.

IN ASSEMBLY,

APRIL 23, 1901.

Report of the State Racing Commission for 1900.

To the Legislature of the State of New York:

For this the first year of the second term with which the Executive has honored the State Racing Commission it begs to report as follows:

That the year 1900 was in general the most successful and satisfactory since the enactment of the Racing Code in 1895. In few ways could this be shown either more practically or more concretely then in the fact that, since 1895 the revenue to the agricultural societies from the 5 per cent tax on the gross receipts of associations holding running race and steeplechase meetings under licenses from the Commission have been almost quadrupled. In 1895 this tax

amounted to $25,220.74 and in 1900 it rose to $98,671.53. In the past six years the gross total of this tax paid to the State Comptroller and apportioned to these agricultural societies footed up the sum total of $409,807.57. This is exclusive of any taxes paid by any association conducting trotting meetings over which the Commission has no jurisdiction. The Commission has exercised a supervision over the payment of taxes by associations operated under its license, so that the money actually has been in the possession of the State ready for distribution before appropriation, and not, as was in some instances prior to 1895, an estimated asset, the collection of which was uncertain as to time.

In referring to this tax, the Commission is able to report that, as the increased receipts and consequently the increased tax, is an evidence of the enlarged patronage extended to the sport and a testimony to the widespread public interest in it. The racing associations in an another direction have responded fittingly to this patronage.

In the amount of money to be competed for as prizes they have kept pace with their prosperity. In 1897, the first year when, by reason of the affimation of the constitutionality of the Racing Code by the Court of Appeals, the sport had been put upon a firm foundation, the gross total of premiums which went to successful horses was $890,000, as against $1,310,000 in 1900. Because of the unfounded but prevalent feeling of insecurity in 1895 and in 1896, it would not be instructive to make comparisons with those years as showing the increased value of premiums, and necessarily the increased value of the thoroughbred by reason of the widened opportunity for earning afforded it. But a table showing how the associations have recognized the patronage extended them is submitted:

YEAR.	State Tax.	Premiums.
1895	$25,220 74	.....
1896	50,608 10	.....
1897	64,034 64	$890,000
1898	80,483 85	1,050,000
1899	90,791 74	1,191,000
1900	98,671 53	1,310,000

It will be seen that in the past four years there has been distributed on the running turf in this State to the successful horses no less a sum than $4,441,000. This necessarily has had a most beneficial effect on the breeding industry, which to-day is in most prosperous condition. And the prosperity is builded upon substantial reason and will continue so long as wise legislation of the State of New York regulates the sport.

There is evidence of an appreciation of this in many ways. There is greater acreage taken up by breeding farms and there are more establishments, the building of which attests a conviction of stability. In the city of New York at a recent sale, at which a large number of thoroughbred mares and stallions were placed upon the market, the total sum realized was in excess of $400,000. Of these horses about 39 per cent was purchased for actual racing and the remaining 61 per cent was bought exclusively by breeders, so that the figures paid may be accepted as convincing testimony to the faith even of men who, from the standpoint of investment, view racing as something which merits popular approval and will maintain it.

And this sale merely was what might have been expected by reason of the large prices obtained at the yearling sales in New York, which has become the great thoroughbred sale center of the country. Fully 90 per cent of all the yearlings bred for the public market between the Atlantic and the eastern borders of

California are brought to this State for sale, and it is not an exaggeration to say that only a small proportion of those who develop class ever leave it during their racing careers. Of course the sums realized at these public sales do not measure by a very large margin the extent of the breeding industry, for the reason that in them, except to a most limited extent, do not appear those bred by men who conduct their own breeding estabishments and themselves race the product.

As showing in some slight way the extent of the breeding industry, it may be cited that this year there were registered with the Jockey Club 3,650 two-year olds. Ten years ago the best statistics obtainable showed that there were not so great a number of horses of all ages in training in the United States. Estimating the value of these two-year olds at a minimum average market price of $500, they alone represent a property of $1,825,000.

In this State last year 274 separate and distinct stables competed for the $1,310,000 of premiums offered by the racing associations and 1,227 horses went to the post.

During the past season your Commission issued a license to the Empire City Jockey Club for a race meeting for 12 days. This association had its grounds near Yonkers, in Westchester county. It was a new organization, although the grounds which it leased for the purposes of the meeting had been the scene of some trotting meetings. The trotting meetings had not been a success financially, but it was deemed advisable by your Commission that a license should issue for a running race meeting. It was experimental, and the results were not such as in the judgment of the Commission would warrant the issuing of a license for 1901.

The accommodations at the course are insufficient, and the grandstand, facing the sun in the afternoon, makes it uncomfortable for the patrons. The transportation facilities are poor and were a hard-

ship on the public compelled to travel there in the autumn of last year. These would have to be remedied.

Add cost of the correction of the serious errors of construction and transportation to the capital already invested, and to this the high value of real estate, the purchase of which would be required for the building of adequate stables and other equipments necessary to a race-track, and there would be created a property the revenues of which would not suffice to pay interest on the capital invested and at the same time add sufficient money to their stakes and purses to be a fair return to horse owners.

The duty of regulation is one of the most important devolving upon the Commission and the convenience and the wishes of the public are to be considered in all such matters equally as should be the interests of owners of race-courses. Within the Metropolitan district and at Saratoga the associations have offered stakes which are of value not merely to the owners of the horses winning them and to breeders who have nominated to them, but of great sentimental interest to the general public. To interfere with these programmes by issuing a license to an organization which has no such programme would in itself be a matter for grave consideration. An association to merit a license must have something to present other than a place upon which racing may be conducted. It should be able to fill some defined position in the general plan of pleasure for the public and of profit for the breeder and owner.

The dates for the Saratoga Racing Association for 1901, though fewer in actual number than those assigned in other years, are considered advantageous because of the fact that they do not clash with those assigned to other race-courses in this State.

There is a special reason for this, in that the Saratoga Association, now in more progressive hands, voluntarily and before the allotment of dates which the Jockey Club makes, with the concurrence of the

several associations, framed a programme of great merit, offering new and valuable stakes and reviving also the classic events which were the glory of Saratoga in the sixties and seventies, when it was a great racing center. In a word, it put itself where, so far as sport and the encourgement of the breeding industry is concerned, it is on a plane with any organization in this State.

Saratoga, too, is preëminently the place most suited for the running of some of the great filly stakes. Experience has shown that early stake events for fillies are not practical tests. The climatic conditions arising from a spring which fills but a brief period between our winters and our summers, and the causes operating against the fillies, and due to their sex, make it almost impossible and at best most difficult to bring them together properly fitted. Stakes that were inaugurated with the purpose of having them become classic have been found not to have been good test races, because of the recurring absence of some of the best of the young mares, and without classic events for three-year-old mares, to be decided under the best conditions, the breeder has not the guide for mares that he has for horses. August at Saratoga is cool; the mares have settled down to their best work and contests between them not only are sure to bring out the best fields, but to establish with a large degree of certainty the value of the individual. There cannot be tests in the early season of three-year-old mares which can be accepted as determinative, and in the fact that Saratoga is now affording that opportunity at the most appropriate season it has become an important association with a large field endeavor.

Nearly all of the associations have made improvements in the matter of accommodations for their patrons, and in this regard the Commission would express its satisfaction. It is not said for the purpose of suggesting comparisons but entirely by way of narrative that, by

universal consent, the apportionments of race courses in this State are conceded to be the best of any in the world.

For the horsemen and breeders there are substantial prospects. Some stakes have been made more valuable and a large number of new ones have been scheduled. They are in the main produce stakes, special stakes for fillies and long-distance races at weight for age. The produce and the filly stakes will be particularly valuable. Last year the Commission commended the judgment of some associations in so dividing the stakes that the fillies would race in one division for a percentage of the total value of the stake and the colts in another division. Additional stakes for fillies only is a commendable extension of this policy. Continuous racing against colts naturally had resulted in a lack of appreciation of fillies, induced by infrequent victories in events upon which attention had been centered, and, in consequence, there was a falling off in their value. The competition was too severe, and, as their earning capacity was limited, they brought comparatively small prices in the sales ring.

Special races for them will increase this earning capacity and the winning of these stakes will give to these mares a prestige when they are retired which will make their product valuable. It will serve as a test of establishing the value of individuals in their sex, and in many ways should prove beneficial. The widening of opportunity is bound to enhance their value for racing purposes and success in racing will materially add to their worth to the breeder when they go to the stud.

Long-distance races at weight for age have been established as regular features, framed to meet what is conceived to be a desire on the part of the public for contests of endurance and stamina, as well as to preserve some of the best horses to the turf at periods when, in the absence of weight for age races, they would be retired. They also will serve to determine, so far as may be, the question of suprem-

acy on the turf. Handicaps are necessary and interesting, but the time always comes when owners of high class horses feel themselves practically barred against competing by reason of the superiority of their horses compelling them to carry weights which they consider too onerous. The weight for age races will be a refuge for such horses, and, while the fields in them may not be large, the contests should be of great interest to the public and ought to be determitative of supremacy—a question which frequently does not admit of decision through the medium of a handicap.

The breeders are displaying enterprise in some degree commensurate with the present situation and future prospects. They have continued their plan of destroying the pedigrees of mares whose produce had not been of standard value and of sending them out of the thoroughbred world, replacing them with new blood. They have been generous purchasers at public and private sales.

The prospects for 1901 are encouraging. There is not any reason to apprehend that there will be any depreciation of public interest, and the racing associations already have made announcements which assure a profitable year to owners who have horses capable of competing successfully for the premium offered. It is a matter of great satisfaction to report that the programmes of associations, without exception, show a material addition to their premium lists. In the aggregate this will be many thousands of dollars.

The State tax of 5 per cent on gross receipts for 1900, paid by the racing associations holding licenses from the Commission, was as follows:

The Westchester Racing Association	$16,152 06
The Coney Island Jockey Club	24,744 75
The Brooklyn Jockey Club	23,747 39
The Brighton Beach Racing Association	15,365 57
The Queens County Jockey Club	8,227 76

The Saratoga Association for the Improvement of the Breed of Horses	$6,862 41
The Empire City Jockey Club	3,571 59
Total	$98,671 53

Respectfully submitted,

AUGUST BELMONT,
E. D. MORGAN,
JOHN SANFORD.

April, 1901.

REPORT

OF THE

SUPERINTENDENT OF PUBLIC WORKS

UPON

TRADE AND TONNAGE OF THE CANALS

FOR THE YEAR 1900.

TRANSMITTED TO THE LEGISLATURE JANUARY 18, 1901.

ALBANY.
JAMES B. LYON, STATE PRINTER.
1901.

STATE OF NEW YORK

No. 81.

IN ASSEMBLY,

JANUARY 18, 1901.

REPORT

OF THE

Superintendent of Public Works upon the Trade and Tonnage of the Canals for the Year 1900.

STATE OF NEW YORK:

OFFICE OF THE SUPERINTENDENT OF PUBLIC WORKS,
ALBANY, *January* 18, 1901.

To the Honorable the Speaker of the Assembly:

SIR.—As required by law, I have the honor herewith to present to the Legislature the report on the trade and tonnage of the canals of this State for the year 1900.

JOHN N. PARTRIDGE,
Superintendent of Public Works.

ANNUAL ACCOUNT *of property (in tons of 2,000 lbs.) shipped on the canal each week during the season of* 1900.

DAYS.	THE FOREST—PRODUCT OF WOOD.							PRODUCT OF ANIMALS.
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Pulp wood.	Pork and beef.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Twenty-third to close	3,713	160	.....	.....	50	.....	.....	60
Total April	3,713	160	.....	.....	50	.....	.....	60
First to seventh	5,004	7	.....	.....	302	.....	.....	.....
Eighth to fourteenth	11,084	1	.....	.....	.....	.....	1,582	.....
Fifteenth to twenty-second	18,126	.....	170	.....	1,786	234	2,549	5
Twenty-third to close	25,341	2	500	203	2,344	.....	6,145	.....
Total May	59,555	10	670	203	4,432	234	10,276	5
First to seventh	15,267	9	360	195	2,680	.....	2,262	.....
Eighth to fourteenth	18,250	14	.....	188	2,428	.....	2,484	.....
Fifteenth to twenty-second	17,365	1	335	188	1,795	.....	5,256	.....
Twenty-third to close	16,756	6	360	387	2,114	.....	9,807	.....
Total June	67,638	30	1,055	958	9,017	.....	19,809	.....

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	THE FOREST—PRODUCT OF WOOD.							PRODUCT OF ANIMALS.
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Pulp wood.	Pork and beef.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
First to seventh	12,628	12	283	224	1,000	224	3,987	.....
Eighth to fourteenth	15,945	18	.....	.....	1,436	.....	10,128	.....
Fifteenth to twenty-second	19,007	8	300	195	2,439	.....	7,750	.....
Twenty-third to close	15,637	5	4,000	.....	1,260	.....	5,901	.....
Total July	63,217	43	4,583	419	6,135	224	27,766	.....
First to seventh	14,204	10	.....	.....	1,932	.....	7,504	1
Eighth to fourteenth	17,874	7	.....	195	1,134	.....	5,286	.....
Fifteenth to twenty-second	13,011	6	5,706	210	1,310	.....	12,560	.....
Twenty-third to close	18,433	45	140	.....	2,587	.....	7,479	.....
Total August	63,522	68	5,846	405	6,963	.....	32,829	1

First to seventh	17,683	41	.....	.....	694	.....	6,916	.....
Eighth to fourteenth	14,485	63	4,760	.....	1,336	.....	4,203	.....
Fifteenth to twenty-second	19,145	27	160	188	1,248	.....	7,802	.....
Twenty-third to close	23,024	8	260	.....	1,926	1	8,290	.....
Total September	74,337	139	5,180	188	5,204	1	27,211	.....
First to seventh	19,612	52	.....	.....	3,234	.....	3,268	.....
Eighth to fourteenth	16,908	32	1,200	.....	1,204	.....	6,642	.....
Fifteenth to twenty-second	22,548	35	1,644	.....	1,347	340	4,143	.....
Twenty-third to close	25,993	11	1,527	.....	2,304	.....	9,269	.....
Total October	85,061	130	4,371	.....	8,089	340	23,322	.....
First to seventh	22,655	29	1,260	.....	1,514	.....	2,301	.....
Eighth to fourteenth	16,318	7	260	.....	988	.....	1,274	.....
Fifteenth to twenty-second	26,325	103	240	11	2,452	.....	2,173	.....
Twenty-third to close	15,340	38	855	.....	2,147	.....	7,231	.....
Total November	80,638	177	2,615	11	7,101	.....	12,979	.....
Total for the year	497,681	757	24,320	2,184	46,991	799	154,252	6

DAYS.	PRODUCT OF ANIMALS.						AGRICULTURE—VEGETABLE FOOD.	
	Cheese.	Butter.	Lard, tallow and lard oil.	Wool.	Hides.	Flour.	Wheat.	Rye.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Twenty-third to close	.....	.....	.....	.....	.....	45	1,224	.....
Total April	.....	.....	.....	.....	.....	45	1,224	.....
First to seventh	.....	.....	.....	.....	.....	13	8,325	1,149
Eighth to fourteenth	.....	.....	.....	.....	.....	621	9,999	248
Fifteenth to twenty-second	.....	.....	24	.....	8	5	5,016	2,184
Twenty-third to close	.....	.....	.....	.....	.....	13	12,116	702
Total May	.....	.....	24	.....	8	652	35,456	4,283
First to seventh	18	22	10	27	.....	8	7,584	1,448
Eighth to fourteenth	.....	.....	29	.....	.....	28	6,393	306
Fifteenth to twenty-second	1	.....	13	.....	.....	7	4,356	700
Twenty-third to close	5	.....	.....	.....	.....	29	3,576	.....
Total June	24	22	52	27	.....	72	21,909	2,454

First to seventh	6	.....	155	.....	.....	18	1,320	714
Eighth to fourteenth	2	17	38	.....	.....	20	2,382	139
Fifteenth to twenty-second	5	.....	14	.....	.....	8	2,030	.....
Twenty-third to close	5	10	.....	.....	.....	22	1,656	.....
Total July	18	27	207	.....	.....	68	7,388	853
First to seventh	7	.....	53	.....	.....	1	720	.....
Eighth to fourteenth	4	.....	.....	.....	.....	9	1,695	.....
Fifteenth to twenty-second	5	.....	.....	.....	.....	4	240	.....
Twenty-third to close	.....	.....	.....	.....	.....	19	3,078	.....
Total August	16	.....	53	.....	.....	33	5,733	.....
First to seventh	3	.....	48	.....	15	24	1,173	.....
Eighth to fourteenth	1	.....	.....	.....	.....	22	4,164	465
Fifteenth to twenty-second	3	.....	18	.....	.....	27	5,095	.....
Twenty-third to close	1	.....	23	.....	.....	10	8,462	727
Total September	8	.....	89	.....	15	83	18,894	1,192
First to seventh	7	.....	16	.....	.....	1	7,422	974
Eighth to fourteenth	7	.....	.....	.....	.....	16	8,325	.....
Fifteenth to twenty-second	8	.....	.....	.....	.....	15	2,589	722
Twenty-third to close	1	.....	120	.....	.....	15	7,575	.....
Total October	23	.....	136	.....	.....	47	25,911	1,696

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	PRODUCT OF ANIMALS.						AGRICULTURE—VEGETABLE FOOD.	
	Cheese.	Butter.	Lard, tallow and lard oil.	Wool.	Hides.	Flour.	Wheat.	Rye.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
First to seventh	8	.....	.....	.....	.....	28	2,883	.....
Eighth to fourteenth	.....	.....	.....	.....	.....	13	1,089	.....
Fifteenth to twenty-second	2	.....	39	.....	.....	44	10,924	.....
Twenty-third to close	.....	.....	45	20	.....	86	6,891	.....
Total November	10	.....	84	20	.....	171	21,787	.....
Total for the year	99	49	645	47	23	1,171	138,302	10,478

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	AGRICULTURE—VEGETABLE FOOD.							
	Corn.	Corn meal.	Barley.	Barley malt.	Oats.	Bran and ship stuffs.	Peas and beans.	Apples.
	Tons	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Twenty-third to close.....	2,307	.....	953	.....	793	59	.....	.....
Total April.....	2,307	.....	953	.....	793	59	.....	.....
First to seventh.....	694	.....	480	.....	2,940	15	.....	.....
Eighth to fourteenth.....	1,013	.....	1,654	196	1,556	3	.....	.....
Fifteenth to twenty-second.....	944	.....	1,563	.....	426	62	.....	.....
Twenty-third to close.....	1,783	.....	3,431	2,499	407	114	.....	.....
Total May.....	4,434	.....	7,128	2,695	5,329	194	.....	.....
First to seventh.....	4,029	.....	271	.....	886	83	.....	.....
Eighth to fourteenth.....	4,416	6	472	197	847	46	.....	.....
Fifteenth to twenty-second.....	16,931	54	.....	204	2,721	11	.....	.....
Twenty-third to close.....	8,083	2	1,358	1,005	2,255	29	.....	.....
Total June.....	33,459	62	2,101	1,406	6,709	169	.....	.....

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	Agriculture—Vegetable Food.							
	Corn.	Corn meal.	Barley.	Barley malt.	Oats.	Bran and ship stuffs.	Peas and beans.	Apples.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
First to seventh	4,931	.....	634	.....	3,185	10	.....	.....
Eighth to fourteenth	13,691	.....	239	368	190	153	.....	.....
Fifteenth to twenty-second	15,970	.....	.....	544	1,790	5	.....	.....
Twenty-third to close	10,366	.....	.....	758	1,418	290	.....	.....
Total July	44,958	.....	873	1,670	6,583	458	.....	.....
First to seventh	18,212	.....	.....	.....	323	113	5	.....
Eighth to fourteenth	11,621	8	.....	522	.....	150	.....	.....
Fifteenth to twenty-second	10,273	.....	.....	332	1,154	19	.....	.....
Twenty-third to close	9,558	.....	.....	250	1,625	55	.....	.....
Total August	45,664	8	.....	1,104	3,102	337	5	.....
First to seventh	2,176	.....	.....	340	1,131	31	.....	.....
Eighth to fourteenth	2,983	.....	468	361	390	82	.....	4
Fifteenth to twenty-second	1,262	.....	1,648	.....	221	66	.....	.....
Twenty-third to close	12,820	5	3,104	204	2,180	.....	.....	.....
Total September	19,241	5	5,220	905	3,922	179	.....	4

First to seventh	5,032	.....	2,589	.....	1,032	161	.....	9
Eighth to fourteenth	9,479	.....	1,440	.....	1,131	6	.....	39
Fifteenth to twenty-second	4,793	4	4,451	.....	230	80	.....	396
Twenty-third to close	5,009	.....	8,290	151	226	25	.....	964
Total October	24,313	4	16,770	151	2,619	272	.....	1,408
First to seventh	2,564	9	10,818	.....	2,123	110	.....	1,279
Eighth to fourteenth	3,439	.....	5,249	196	2,530	8	.....	1,116
Fifteenth to twenty-second	7,132	.....	7,835	355	2,677	91	.....	805
Twenty-third to close	1,502	.....	6,257	590	48	.....	.....	104
Total November	14,637	9	30,159	1,141	7,378	209	.....	3,304
Total for the year	189,013	88	63,204	9,072	36,435	1,877	5	4,716

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.					
	Potatoes.	Dried fruit.	Cotton.	Hemp.	Clover and grass seed.	Flax seed.	Hay.	Domestic spirits.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Twenty-third to close	361	17	.....	.....	52	.....	212	.....
Total April	361	17	.....	.....	52	.....	212	.....
First to seventh	.....	17	.....	.....	.....	.....	557	.....
Eighth to fourteenth	.....	.....	.....	238	85	.....	211	.....
Fifteenth to twenty-second	.....	8	.....	17	.....	.....	578	28
Twenty-third to close	.....	50	.....	.....	.....	.....	538	3
Total May	.....	75	.....	255	85	.....	1,884	31
First to seventh	1	74	.....	.....	.....	.....	934	.....
Eighth to fourteenth	46	.....	.....	156	81	.....	750	.....
Fifteenth to twenty-second	.....	17	.....	.....	55	.....	1,397	.....
Twenty-third to close	.....	.....	.....	.....	27	.....	1,433	.....
Total June	47	91	.....	156	163	.....	4,514	.....

First to seventh	.....	.....	.....	.....	.....	.....	633	.....
Eighth to fourteenth	.....	91	.....	.....	37	.....	877	7
Fifteenth to twenty-second	.....	98	.....	111	10	.....	1,852	.....
Twenty-third to close	.....	106	.....	.....	.....	.....	1,071	.....
Total July	.....	295	.....	111	47	.....	4,433	7
First to seventh	21	64	.....	.....	.....	.....	1,103	4
Eighth to fourteenth	.....	.....	.....	15	.....	.....	570	18
Fifteenth to twenty-second	.....	.....	.....	.....	118	.....	1,529	15
Twenty-third to close	13	32	45	.....	30	.....	1,667	.....
Total August	34	96	45	15	148	.....	4,869	37
First to seventh	.....	.....	.....	.....	.....	.....	732	.....
Eighth to fourteenth	.....	50	.....	35	.....	235	811	.....
Fifteenth to twenty-second	.....	.....	.....	.....	.....	.....	698	8
Twenty-third to close	.....	.....	.....	.....	28	698	1,247	.....
Total September	.....	50	.....	35	28	933	3,488	8
First to seventh	40	.....	.....	.....	53	238	1,466	.....
Eighth to foureenth	45	54	.....	.....	81	.....	1,494	.....
Fifteenth to twenty-second	.....	6	.....	.....	212	.....	1,272	33
Twenty-third to close	.....	.....	.....	.....	.....	.....	2,604	.....
Total October	85	60	.....	.....	346	238	6,836	33

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.					
	Potatoes.	Dried fruit.	Cotton.	Hemp.	Clover and grass seed.	Flax seed.	Hay.	Domestic spirits.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
First to seventh.....	1,186	18	.....	.....	61	470	1,032	1
Eighth to fourteenth.....	2,539	.....	.....	.....	.....	.....	719	18
Fifteenth to twenty-second.....	10,315	.....	.....	.....	.....	2,125	1,224	.....
Twenty-third to close.....	3,227	.....	.....	.....	.....	.....	3,268	.....
Total November.....	17,267	18	.....	.....	61	2,595	6,243	19
Total for the year.....	17,794	702	45	572	930	3,766	32,479	135

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	MANUFACTURES.						
	Oil meal and cake.	Furniture.	Pig iron.	Bloom and bar iron.	Castings and ironware.	Domestic woolens.	Domestic salt.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Twenty-third to close	.....	.....	1,072	.....	157	.....	3,203
Total April	.....	.....	1,072	.....	157	.....	3,203
First to seventh	.....	20	2,293	.....	10	.....	3,738
Eighth to fourteenth	8	5	2,860	.....	382	.....	2,117
Fifteenth to twenty-second	239	5	1,394	.....	387	.....	1,214
Twenty-third to close	.....	.....	829	.....	.....	.....	7,014
Total May	247	30	7,376	.....	779	.....	14,083
First to seventh	471	.....	1,500	.....	.....	22	3,491
Eighth to fourteenth	480	5	1,533	.....	8	23	2,212
Fifteenth to twenty-second	236	.....	2,280	65	.....	.....	2,673
Twenty-third to close	712	.....	1,745	315	147	.....	1,522
Total June	1,899	5	7,058	380	155	45	9,898

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	MANUFACTURES.						
	Oil meal and cake.	Furniture.	Pig iron.	Bloom and bar iron.	Castings and ironware.	Domestic woolens.	Domestic salt.
	Tons.	Tons.	Tons.	Tons	Tons.	Tons.	Tons.
First to seventh	473	.....	1,092	.....	.....	.....	6,975
Eighth to fourteenth	481	10	425	.....	146	.....	1,455
Fifteenth to twenty-second	.....	.....	.....	297	7	.....	970
Twenty-third to close	.....	.....	549	.....	.....	.....	245
Total July	954	10	2,066	297	153	.....	9,645
First to seventh	.....	.....	370	.....	.....	.....	3,764
Eighth to fourteenth	.....	.....	1,573	160	.....	.....	2,054
Fifteenth to twenty-second	.....	.....	1,855	.....	.....	.....	3,904
Twenty-third to close	235	1	226	.....	.....	.....	2,990
Total August	235	1	4,024	160	.....	.....	12,712
First to seventh	250	.....	1,827	28	128	.....	2,217
Eighth to fourteenth	.....	.....	1,885	.....	30	.....	3,847
Fifteenth to twently-second	248	.....	1,376	.....	1	.....	3,035
Twenty-third to close	242	.....	1,492	.....	32	.....	4,766
Total September	740	.....	6,580	28	191	.....	13,865

First to seventh	.....	.....	2,749	51	63	.....	3,646
Eighth to fourteenth	246	.....	1,882	.....	.....	.....	2,694
Fifteenth to twenty-second	250	.....	1,026	43	.....	.....	2,140
Twenty-third to close	240	.....	3,180	.....	.....	43	4,211
Total October	736	.....	8,837	94	63	43	12,691
First to seventh	.....	.....	2,424	.....	.....	.....	2,880
Eighth to fourteenth	.....	.....	1,974	.....	.....	.....	1,087
Fifteenth to twenty-second	.....	.....	4,238	.....	.....	.....	6,079
Twenty-third to close	.....	.....	795	168	.....	.....	1,505
Total November	.....	.....	9,431	168	.....	.....	11,551
Total for the year	4,811	46	46,444	1,127	1,498	88	87,648

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	MANUFACTURES.	MERCHANDISE.					
	Foreign salt	Sugar.	Molasses.	Coffee.	Nails, spikes and horseshoes.	Iron and steel.	Railroad iron
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Twenty-third to close	17	2,962	14	2	.....	.....	61
Total April	17	2,962	14	2	.....	.....	61
First to seventh	.....	4,016	.....	1	.....	50	.....
Eighth to fourteenth	157	2,649	.....	.....	75	183	.....
Fifteenth to twenty-second	.....	2,976	33	.....	.....	.....	.....
Twenty-third to close	.....	7,603	2	19	.....	224	336
Total May	157	17,234	35	20	75	457	336
First to seventh	.....	1,179	21	25	.....	157	.....
Eighth to fourteenth	.....	2,222	1	95	.....	334	.....
Fifteenth to twenty-second	312	4,497	.....	45	.....	49	.....
Twenty-third to close	.....	2,794	.....	58	.....	90	.....
Total June	312	10,692	22	223	.....	630	.....

First to seventh	.....	4,562	.....	.....	.....	1	.....
Eighth to fourteenth	.....	1,573	.....	.....	.....	.....	.....
Fifteenth to twenty-second	.....	1,741	.....	.....	.....	.....	.....
Twenty-third to close	.....	1,476	.....	.....	.....	120	.....
Total July	.....	9,352	.....	.....	.....	121	.....
First to seventh	.....	2,616	27	.....	.....	10	.....
Eighth to fourteenth	.....	3,346	.....	.....	.....	.....	.....
Fifteenth to twenty-second	185	2,852	.....	.....	.....	15	.....
Twenty-third to close	.....	4,214	45	.....	.....	29	360
Total August	185	13,028	72	.....	.....	54	360
First to seventh	159	2,085	.....	2	.....	155	.....
Eighth to fourteenth	.....	2,301	.....	15	.....	.....	.....
Fifteenth to twenty-second	.....	3,335	.....	37	.....	.....	.....
Twenty-third to close	.....	495	8	44	.....	119	.....
Total September	159	8,216	8	98	.....	274	.....
First to seventh	.....	1,013	11	.....	.....	.....	.....
Eighth to fourteenth	.....	181	28	.....	.....	2	.....
Fifteenth to twenty-second	.....	3,428	.....	.....	.....	688	67
Twenty-third to close	.....	3,229	.....	15	.....	2	.....
Total October	.....	7,851	39	15	.....	692	67

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	MANUFACTURES.	MERCHANDISE.					
	Foreign salt.	Sugar.	Molasses.	Coffee.	Nails, spikes and horseshoes.	Iron and steel.	Railroad iron.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
First to seventh	157	3,426	36	26	.....	204	9
Eighth to fourteenth	.....	1,005	.....	.....	.....	.....	.....
Fifteenth to twenty-second	.....	1,168	.....	.....	.....	.....	.....
Twenty-third to close	.....	1,940	.....	.....	.....	160	.....
Total November	157	7,539	36	26	.....	364	9
Total for the year	987	76,874	226	384	75	2,592	833

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	MERCHANDISE.		OTHER ARTICLES.			
	Flint, enamel crockery and glassware.	All other merchandise.	Ice.	Stone, lime and clay.	Phosphate.	MINERAL COAL. Anthracite.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Twenty-third to close	135	6,330	.....	8,887	123	11,526
Total April	135	6,330	.....	8,887	123	11,526
First to seventh	.....	4,225	100	8,619	874	7,273
Eighth to fourteenth	50	5,182	100	12,337	282	30,859
Fifteenth to twenty-second	150	4,746	395	13,983	769	21,543
Twenty-third to close	.....	6,170	11,555	27,051	236	39,137
Total May	200	20,323	12,150	61,990	2,161	98,812
First to seventh	.....	4,910	5,570	11,257	.....	22,575
Eighth to fourteenth	30	6,229	7,240	15,579	1,707	17,116
Fifteenth to twenty-second	.....	5,307	7,202	20,394	571	24,887
Twenty-third to close	.....	5,903	2,508	22,006	1,202	45,997
Total June	30	22,349	45,093	69,236	3,480	110,575

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	MERCHANDISE.		OTHER ARTICLES.			
	Flint, enamel crockery and glassware.	All other merchandise.	Ice.	Stone, lime and clay.	Phosphate.	MINERAL COAL: Anthracite.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
First to seventh	.....	6,949	8,642	15,592	946	29,300
Eighth to fourteenth	.....	8,096	7,360	15,642	1,002	25,393
Fifteenth to twenty-second	.....	4,288	5,234	18,976	2,254	15,113
Twenty-third to close	.....	7,761	16,766	24,772	780	37,382
Total July	.....	27,094	38,002	74,982	4,982	107,188
First to seventh	.....	5,797	10,538	20,733	664	24,032
Eighth to fourteenth	73	4,074	7,953	11,870	100	15,493
Fifteenth to twenty-second	.....	5,480	7,449	16,376	615	14,152
Twenty-third to close	60	6,842	8,000	23,869	.....	36,487
Total August	133	22,193	33,940	72,848	1,379	90,074

First to seventh	.....	5,064	8,222	14,273	.....	10,531
Eighth to fourteenth	.....	5,382	6,219	10,610	1,131	10,672
Fifteenth to twenty-second	.....	6,153	49,388	9,892	564	20,311
Twenty-third to close	.....	6,686	8,779	15,108	1,602	11,635
Total September	.....	23,285	72,608	49,883	3,297	53,149
First to seventh	.....	6,214	8,624	18,625	1,866	10,698
Eighth to fourteenth	.....	6,661	3,658	16,140	2,791	1,286
Fifteenth to twenty-second	.....	8,554	5,285	17,771	5,059	1,730
Twenty-third to close	.....	7,550	8,250	22,747	2,145	12,378
Total October	.....	28,979	25,817	75,283	11,861	26,092
First to seventh	40	6,271	4,643	16,941	1,335	3,692
Eighth to fourteenth	.....	4,543	2,005	8,481	.....	11,016
Fifteenth to twenty-second	1	3,641	3,250	12,521	1,408	16,455
Twenty-third to close	.....	3,905	2,102	26,562	179	60,511
Total November	41	18,360	12,000	64,505	2,922	91,674
Total for the year	539	168,913	239,610	477,614	30,205	589,090

Annual account of property (in tons) shipped, etc.—(Continued).

DAYS.	Other Articles.				Total tons.	Miles boats cleared.
	Mineral coal. Bituminous.	Iron ore.	Petroleum.	Sundries.		
	Tons.	Tons.	Tons.	Tons.		
Twenty-third to close	6,853	3,604	5	2,641	57,598	70,042
Total April	6,853	3,604	5	2,641	57,598	70,042
First to seventh	3,824	3,210	.....	2,297	60,053	71,897
Eighth to fourteenth	7,478	2,089	200	757	96,261	81,800
Fifteenth to twenty-second	7,458	4,603	.....	1,874	95,502	77,633
Twenty-third to close	6,695	7,353	.....	1,364	171,769	112,994
Total May	25,455	17,255	200	6,292	423,585	344,324
First to seventh	3,323	7,757	137	960	99,523	74,649
Eighth to fourteenth	4,704	2,243	23	879	99,800	84,977
Fifteenth to twenty-second	5,401	4,829	.....	1,833	131,988	116,198
Twenty-third to close	3,794	1,023	9	1,309	160,939	91,613
Total June	17,222	15,852	169	4,981	492,250	367,438

First to seventh	5,155	4,654	.....	842	115,147	87,342
Eighth to fourteenth	6,839	3,013	199	1,055	118,467	86,793
Fifteenth to twenty-second	5,523	3,237	.....	2,357	112,133	98,612
Twenty-third to close	6,490	2,649	.....	1,308	142,803	88,833
Total July	24,007	13,553	199	5,562	488,550	361,580
First to seventh	5,857	4,040	9	2,528	125,262	96,629
Eighth to fourteenth	3,973	2,830	184	1,897	90,598	79,962
Fifteenth to twenty-second	6,470	2,929	.....	2,542	111,316	87,997
Twenty-third to close	8,714	6,059	57	1,872	145,116	103,169
Total August	25,014	15,858	250	8,839	472,292	367,757
First to seventh	5,555	3,853	.....	1,285	86,641	66,264
Eighth to fourteenth	7,578	7,283	174	1,940	93,985	78,928
Fifteenth to twenty-second	7,642	3,105	1	1,387	144,091	67,234
Twenty-third to close	11,622	4,066	.....	1,947	131,661	103,058
Total September	32,397	18,307	175	6,559	456,378	315,484
First to seventh	13,002	2,083	9	1,686	115,546	89,224
Eighth to fourteenth	12,228	3,209	.....	2,298	101,407	88,184
Fifteenth to twenty-second	14,137	2,994	.....	3,441	111,481	102,215
Twenty-third to close	16,077	2,968	204	2,116	149,439	113,342
Total October	55,444	11,254	213	9,541	477,873	392,965

Annual account of property (in tons) shipped etc.—(Concluded).

DAYS.	Other Articles.				Total tons.	Miles boats cleared.
	Mineral coal.	Iron ore.	Petroleum.	Sundries.		
	Bituminous.					
	Tons.	Tons.	Tons.	Tons.		
First to seventh	9,498	1,876	18	2,176	106,001	96,512
Eighth to fourteenth	4,791	1,215	.....	676	72,556	62,993
Fifteenth to twenty-second	9,426	2,662	11	2,474	138,206	119,037
Twenty-third to close	9,990	2,078	61	3,047	160,652	55,142
Total November	33,705	7,831	90	8,373	477,415	333,684
Total for the year	220,097	103,514	1,301	52,788	3,345,941	2,553,274

ANNUAL STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of way freight going east during the season of* 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.						
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Pulp wood.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	485	.....	.....	.....	2,265	.....	.....
Rome	2,039	.....	230	.....	1,565	.....	60
Syracuse	2,723	48	.....	.....	3,133	1	.....
Rochester	.....	.....	.....	.....	504	.....	.....
Tonawanda	27,014	.....	1,540	424	.....	.....	.....
Buffalo	12,070	.....	12,300	1,747	.....	.....	.....
Waterford	59,697	.....	4,881	.....	10,497	.....	353
Whitehall	990	9	133	.....	700	.....	145,592
Oswego	5,415	393	174	.....	1,142	.....	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	7,410	.....	240	.....	4,844	.....	.....
Total	117,843	450	19,498	2,171	24,650	1	146,005

Way freight (in tons) going east, etc.—(Continued).

OFFICES.	AGRICULTURE—PRODUCT OF ANIMALS.					AGRICULTURE—VEGETABLE FOOD.	
	Pork and beef.	Cheese.	Butter.	Lard, tallow and lard oil.	Hides.	Flour.	Wheat.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	.....	.....	.....	.....	.....
Rome	.....	.....	.....	2	1	.....	2,578
Syracuse	5	53	10	.....	.....	257	561
Rochester	.....	.....	.....	.....	.....	.....	2,767
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	56,358
Waterford	.....	.....	.....	.....	.....	46	3
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	15	.....	.....	.....	.....	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	5	68	10	2	1	303	62,267

Way freight (in tons) going east, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Corn.	Corn meal.	Barley.	Barley malt.	Oats.	Bran and ship stuffs.	Apples.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	.....	.....	.....	.....	.....
Rome	17	.....	8	.....	.....	8	.....
Syracuse	276	84	.....	409	428	1,422	419
Rochester	.....	.....	240	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	8,909	.....	37,177	3,172	3,534	.....	.....
Waterford	.....	.....	.....	.....	.....	.....	75
Whitehall	.....	.....	.....	.....	15	.....	.....
Oswego	1,400	.....	.....	.....	.....	.....	18
Geneva	.....	.....	2,646	741	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	10,602	84	40,071	4,322	3,977	1,430	512

Way freight (in tons) going east, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.	MANUFACTURES.				
	Potatoes.	Dried fruit.	Hay.	Domestic spirits.	Furniture.	Pig iron.	Castings and iron ware.	Domestic salt.
Albany	.....	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	5,009	.....	.....	.....	.....	.....
Rome	50	.....	.....	.....	.....	.....	34	.....
Syracuse	5,900	31	25	.....	5	59	62	48,839
Rochester	210	.....	97	.....	.....	.....	.....	25,161
Tonawanda	.....	.....	.....	.....	.....	6,078	.....	.....
Buffalo	.....	.....	.....	.....	.....	5,589	.....	.....
Waterford	6,017	.....	327	.....	.....	.....	.....	.....
Whitehall	.....	.....	75	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	16	20	.....	2	.....
Geneva	.....	.....	.....	.....	.....	.....	.....	11,995
Boonville	99	.....	.....	.....	.....	.....	.....	.....
Total	12,276	31	5,533	16	25	11,726	98	85,995

Way freight (in tons) going east, etc.—(Continued).

OFFICES.	MERCHANDISE.					OTHER ARTICLES.	
	Sugar.	Molasses.	Iron and steel.	Flint, enamel crockery and glassware.	All other merchandise.	Ice.	Stone, lime and clay.
Albany	.....	.....	.....	.....	.....	11,263	.....
West Troy	.....	.....	.....	.....	1,137	140,019	19,538
Rome	.....	.....	.....	.....	5,797	.....	9,006
Syracuse	435	83	308	90	5,583	13,315	25,713
Rochester	.....	.....	.....	.....	10,844	.....	36,213
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	120	.....	11,982	.....	1,532
Waterford	.....	.....	.....	.....	10,307	66,020	23,487
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	9	.....	1,131	.....	213
Geneva	.....	.....	.....	.....	3,798	.....	.....
Boonville	.....	.....	.....	.....	9	.....	16,370
Total	435	83	437	90	50,588	230,617	132,072

Way freight (in tons) going east, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.						Total tons.
	Rock and superphosphate.	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	.....	.....	.....	.....	.....	.....	11,263
West Troy	.....	12,162	1,923	.....	.....	717	183,255
Rome	.....	18,621	252	3	.....	3	40,274
Syracuse	267	61,157	1,140	249	.....	2,455	175,545
Rochester	.....	23,092	69,299	.....	.....	1,025	169,452
Tonawanda	.....	.....	.....	.....	.....	.....	35,056
Buffalo	.....	.....	.....	.....	.....	12	154,502
Waterford	.....	.....	.....	.....	168	4	181,882
Whitehall	.....	.....	.....	.....	.....	291	147,805
Oswego	.....	75	.....	.....	.....	313	10,336
Geneva	.....	27,747	63,743	.....	.....	110	110,780
Boonville	.....	.....	.....	.....	.....	3	28,975
Total	267	142,854	136,357	252	168	4,933	1,249,125

ANNUAL STATEMENT *showing the total quantity (in tons of 2,000 pounds) of way freight going west during the season of* 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.							AGRICULTURE—PRODUCT OF ANIMALS.
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Pulp wood.	Pork and beef.
Albany	2,388	94	207	.....	.....	.....	.....	.....
West Troy	5,072	6	.....	11	2,226	.....	4,231	.....
Rome	70	.....	20	2	818	10	.....	1
Syracuse	2,108	3	.....	.....	3,259	.....	.....	.....
Rochester	4	.....	.....	.....	1,330	.....	.....	.....
Tonawanda	923	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	.....	.....
Waterford	1,013	.....	3,215	.....	.....	.....	1,600	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	.....	.....	.....	.....
Geneva	50	.....	.....	.....	.....	.....	.....	.....
Boonville	434	.....	.....	.....	10,920	.....	.....	.....
Total	12,062	103	3,442	13	18,553	10	5,831	1

Way freight (in tons) going west, etc.—(Continued).

OFFICES.	AGRICULTURE—PRODUCT OF ANIMALS.					AGRICULTURE—VEGETABLE FOOD.		
	Cheese.	Butter.	Lard, tallow and lard oil.	Wool.	Hides.	Flour.	Wheat.	Corn.
Albany	.....	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	240	20	7	18	.....	263
Rome	4	.....	.....	.....	.....	15	.....	1,809
Syracuse	27	39	.....	27	.....	1	1,915	.....
Rochester	.....	.....	.....	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	310	224
Buffalo	.....	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	.....	.....	.....	.....	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	.....	214	.....	4
Geneva	.....	.....	.....	.....	.....	.....	.....	24
Boonville	.....	.....	.....	.....	.....	.....	.....	.....
Total	31	39	240	47	7	248	2,225	2,324

Way freight (in tons) going west, etc.—(Continued)

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Corn meal.	Barley.	Barley malt.	Oats.	Bran and ship stuffs.	Peas and beans.	Apples.
Albany	.....	.....	.....	352	19	.....	.....
West Troy	.....	.....	.....	198	50	4	.....
Rome	2	.....	.....	1,662	185	1	64
Syracuse	.....	53	.....	213	.....	.....	.....
Rochester	.....	.....	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	3,702
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	2,400	.....	.....	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	2	.....	.....	3	183	.....	.....
Geneva	.....	1,985	3,444	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	10	.....	7
Total	4	4,438	3,444	2,428	447	5	3,773

Way freight (in tons) going west, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.		MANUFACTURES.		
	Potatoes.	Dried fruit.	Hemp.	Hay.	Domestic spirits.	Furniture.	Pig iron.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	88	1	1	.....	.....	2,304
Rome	90	.....	1	.....	3	.....	.....
Syracuse	148	61	.....	720	.....	16	3
Rochester	.....	.....	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	75	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	.....	.....	.....	.....	.....	213
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	10	5	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	51	.....	.....	.....	.....	.....	.....
Total	289	149	2	796	13	21	2,520

Way freight (in tons) going west, etc.—(Continued).

OFFICES.	MANUFACTURES.				MERCHANDISE.		
	Bloom and bar iron.	Castings and iron ware.	Domestic woolens.	Domestic salt.	Sugar.	Molasses.	Coffee.
Albany	315	107	.....	336	524	.....	.....
West Troy	491	136	.....	3	6,513	78	81
Rome	.....	.....	2	3	2	2	2
Syracuse	.....	31	.....	620	10	.....	.....
Rochester	.....	163	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	.....	.....	.....	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	.....	.....	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	806	437	2	962	7,049	80	83

Way freight (in tons) going west, etc.—(Continued).

OFFICES.	MERCHANDISE.					OTHER ARTICLES.	
	Nails, spikes and horseshoes.	Iron and steel.	Railroad iron.	Flint, enamel crockery and glassware.	All other merchandise.	Ice.	Stone, lime and clay.
Albany	.....	.....	.....	.....	1,082	.....	8,610
West Troy	.....	146	492	.....	10,750	.....	68,638
Rome	75	.....	.....	1	5,785	7,965	.....
Syracuse	.....	28	5	150	18,036	7,140	27,434
Rochester	.....	.....	.....	.....	17,732	.....	9,056
Tonawanda	.....	.....	.....	.....	1,782	.....	106,200
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	.....	.....	.....	5,966	.....	4,064
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	2	.....	4,566
Geneva	.....	.....	.....	.....	190	1,853	.....
Boonville	.....	.....	.....	.....	.....	.....	7,840
Total	75	174	497	151	61,325	16,958	236,408

Way freight (in tons) going west, etc.—(Concluded).

OFFICES.	Other Articles.						Total tons.
	Rock and superphosphate.	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	392	21,518	6,030	.....	.....	376	42,350
West Troy	11,315	65,256	14,011	35	2,595	8,673	203,953
Rome	.....	12,708	13	.....	.....	151	31,466
Syracuse	5	111,127	2,438	1	.....	1,623	177,241
Rochester	.....	14,998	.....	.....	.....	50	43,333
Tonawanda	.....	.....	.....	.....	.....	.....	113,216
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	55,523	8,588	.....	.....	.....	82,582
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	.....	8	4,997
Geneva	.....	6,484	865	.....	.....	140	15,035
Boonville	.....	.....	.....	.....	.....	.....	19,262
Total	11,712	287,614	31,945	36	2,595	11,021	733,435

ANNUAL STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of way freight going east and west during the season of* 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.							AGRICULTURE—PRODUCT OF ANIMALS.
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Pulp wood.	Pork and beef.
Albany	2,388	94	207	.....	.....	.....	.....	.....
West Troy	5,557	6	.....	11	4,491	.....	4,231	.....
Rome	2,109	.....	250	2	2,383	19	60	1
Syracuse	4,831	51	.....	6,392	.....	1	.....	5
Rochester	4	.....	.....	.....	1,834	.....	.....	.....
Tonawanda	27,937	.....	1,540	424	.....	.....	.....	.....
Buffalo	12,070	.....	12,300	1,747	.....	.....	.....	.....
Waterford	60,710	.....	8,096	.....	10,497	.....	1,953	.....
Whitehall	990	9	133	.....	700	.....	145,592	.....
Oswego	5,415	393	174	.....	1,142	.....	.....	.....
Geneva	50	.....	.....	.....	.....	.....	.....	.....
Boonville	7,844	.....	240	.....	15,764	.....	.....	.....
Total	129,905	553	22,940	8,576	36,811	11	151,836	6

Way freight (in tons) going east and west, etc.—(Continued).

OFFICES.	AGRICULTURE—PRODUCT OF ANIMALS.					AGRICULTURE—VEGETABLE FOOD.		
	Cheese.	Butter.	Lard, tallow and lard oil.	Wool.	Hides.	Flour.	Wheat.	Corn.
Albany	.....	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	240	20	7	18	.....	263
Rome	4	.....	2	.....	1	15	2,578	1,826
Syracuse	80	49	.....	27	.....	258	2,476	276
Rochester	.....	.....	.....	.....	.....	.....	2,767	.....
Tonawanda	.....	.....	.....	.....	.....	.....	310	224
Buffalo	.....	.....	.....	.....	.....	.....	56,358	8,909
Waterford	.....	.....	.....	.....	.....	46	3	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....	.....
Oswego	15	.....	.....	.....	.....	214	.....	1,404
Geneva	.....	.....	.....	.....	.....	.....	.....	24
Boonville	.....	.....	.....	.....	.....	.....	.....	.....
Total	99	49	242	47	8	551	64,492	12,926

Way freight (in tons) going east and west, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Corn meal.	Barley.	Barley malt.	Oats.	Bran and ship stuffs.	Peas and beans.	Apples.
Albany	.....	.....	.....	352	19	.....	.....
West Troy	.....	.....	.....	198	50	4	.....
Rome	2	8	.....	1,662	193	1	64
Syracuse	84	53	409	641	1,422	.....	419
Rochester	.....	240	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	3,702
Buffalo	.....	37,177	3,172	3,534	.....	.....	.....
Waterford	.....	2,400	.....	.....	.....	.....	75
Whitehall	.....	.....	.....	15	.....	.....	.....
Oswego	2	.....	.....	3	183	.....	18
Geneva	.....	4,631	4,185	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	10	.....	7
Total	88	44,509	7,766	6,405	1,877	5	4,285

Way freight (in tons) going east and west, etc.—(Continued).

OFFICES	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.		MANUFACTURES.		
	Potatoes.	Dried fruits.	Hemp.	Hay.	Domestic spirits.	Furniture.	Pig iron.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	88	1	5,010	.....	.....	2,304
Rome	140	.....	1	.....	3	.....	.....
Syracuse	6,048	92	.....	745	.....	21	62
Rochester	210	.....	.....	97	.....	.....	.....
Tonawanda	.....	.....	.....	75	.....	.....	6,078
Buffalo	.....	.....	.....	.....	.....	.....	5,589
Waterford	6,017	.....	.....	327	.....	.....	213
Whitehall	.....	.....	.....	75	.....	.....	.....
Oswego	.....	.....	.....	26	.....	25	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	150	.....	.....	.....	.....	.....	.....
Total	12,565	180	2	6,355	3	46	14,246

Way freight (in tons) going east and west, etc.—(Continued).

OFFICES.	MANUFACTURES.				MERCHANDISE.		
	Bloom and bar iron.	Castings and iron ware.	Domestic woolens.	Domestic salt.	Sugar.	Molasses.	Coffee.
Albany	315	107	.....	336	524	.....	.....
West Troy	491	136	.....	3	6,513	78	81
Rome	.....	34	2	3	2	2	2
Syracuse	.....	93	.....	49,459	445	83	.....
Rochester	.....	.....	.....	25,161	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	.....	.....	.....	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	2	.....	.....	.....	.....	.....
Geneva	.....	.....	.....	11,995	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	806	372	2	86,957	7,484	163	83

Way freight (in tons) going east and west, etc.—(Continued).

OFFICES.	MERCHANDISE.					OTHER ARTICLES.	
	Nails, spikes and horseshoes.	Iron and steel.	Railroad iron.	Flint, enamel, crockery and glassware.	All other merchandise.	Ice.	Stone, lime and clay.
Albany	.....	.....	.....	.....	1,082	11,263	8,610
West Troy	.....	146	492	.....	11,887	140,019	88,176
Rome	75	.....	.....	1	11,582	.....	16,971
Syracuse	.....	336	5	240	23,619	20,455	53,147
Rochester	.....	.....	.....	163	28,576	.....	45,269
Tonawanda	.....	.....	.....	.....	1,782	.....	106,200
Buffalo	.....	120	.....	.....	11,982	.....	1,532
Waterford	.....	.....	.....	.....	16,273	66,020	27,551
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	9	.....	.....	1,133	.....	4,779
Geneva	.....	.....	.....	.....	3,988	1,853	.....
Boonville	.....	.....	.....	.....	9	.....	24,210
Total	75	611	497	404	111,913	239,610	376,445

Way freight (in tons) going east and west, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.						Total tons.
	Rock and super phosphate.	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	392	21,518	6,030	.....	.....	376	53,613
West Troy	11,315	77,418	15,934	35	2,595	9,390	387,208
Rome	.....	31,329	265	3	.....	154	71,740
Syracuse	272	172,284	3,578	250	.....	4,078	352,786
Rochester	.....	38,090	69,299	.....	.....	1,075	212,785
Tonawanda	.....	.....	.....	.....	.....	.....	148,272
Buffalo	.....	.....	.....	.....	.....	12	154,502
Waterford	.....	55,523	8,588	.....	168	4	264,464
Whitehall	.....	.....	.....	.....	.....	291	147,805
Oswego	.....	75	.....	.....	.....	321	15,333
Geneva	.....	34,231	64,608	.....	.....	250	125,815
Boonville	.....	.....	.....	.....	.....	3	48,237
Total	11,979	430,468	168,302	288	2,763	15,954	1,982,560

ANNUAL STATEMENT *showing the total quantity (in tons of 2,000 pounds) of through freight going east during the season of 1900.*

OFFICES.	THE FOREST—PRODUCT OF WOOD.					AGRICULTURE—VEGETABLE FOOD.		
	Boards and scantling.	Shingles.	Timber.	Wood.	Pulp wood.	Flour.	Wheat	Rye.
Tonawanda	229,021	.....	.....	.....	.....	.....	.....	.....
Buffalo	15,980	.....	.....	.....	.....	620	73,325	10,478
Whitehall	91,883	32	.....	3,788	2,383	.....	.....	.....
Oswego	11,427	172	.....	.....	.....	.....	485	.....
Boonville	13,817	.....	1,380	.....	.....	.....	.....	.....
Total	362,128	204	1,380	3,788	2,383	620	73,810	10,478

Through freight (in tons) going east, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						ALL OTHER AGRICULTURAL PRODUCTS.	
	Corn.	Barley.	Barley malt.	Oats.	Apples	Potatoes.	Flaxseed.	Hay.
Tonawanda	.....	.....	.....	.....	.....	.....	.....	.....
Buffalo	176,087	16,295	1,109	30,030	.....	.....	3,766	.....
Whitehall	.....	.....	.....	.....	431	3,818	.....	26,150
Oswego	.....	2,400	197	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	1,411	.....	.....
Total	176,087	18,695	1,306	30,030	431	5,229	3,766	26,150

Through freight (in tons) going east, etc.—(Continued).

OFFICES.	MANUFACTURES.			MERCHANDISE.			
	Oil meal and cake.	Pig iron	Castings and ironware.	Molasses.	Iron and steel.	Railroad iron	All other merchandise.
Tonawanda	.....	11,317	.....	.....	.....	.....	.....
Buffalo	4,811	19,707	.....	.....	299	.....	451
Whitehall	.....	168	147	1	33	336	25
Oswego	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	4,811	31,192	147	1	332	336	476

Through freight (in tons) going east, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.						Total tons.
	Stone, lime and clay.	Rock and superphosphate.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Tonawanda	.....	.....	.....	.....	.....	.....	240,338
Buffalo	1,451	175	224	917	.....	183	355,908
Whitehall	2,551	.....	.....	.....	95,004	3,052	229,802
Oswego	.....	.....	.....	.....	.....	448	15,129
Boonville	.....	.....	.....	.....	.....	.....	16,608
Total	4,002	175	224	917	95,004	3,683	857,785

ANNUAL STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of through freight going west during the season of* 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.			PRODUCT OF ANIMALS.		AGRICULTURE—VEGETABLE FOOD.	ALL OTHER AGRICULTURAL PRODUCTS.	
	Boards and scantling.	Ashes, pot and pearl.	Pulp wood.	Lard, tallow and lard oil.	Hides.	Dried fruit.	Cotton.	Hemp.
Albany	831	.....	.....	.....	.....	.....	.....	.....
West Troy	3,262	788	33	403	15	522	45	570
Waterford	1,555	.....	.....	.....	.....	.....	.....	.....
Total	5,648	788	33	403	15	522	45	570

Through freight (in tons) going west, etc.—(Continued).

OFFICES.	ALL OTHER AGRICULTURAL PRODUCTS.	MANUFACTURES.						
	Clover and grass seed.	Domestic spirits.	Pig iron.	Bloom and bar iron.	Castings and ironware.	Domestic woolens.	Domestic salt.	Foreign salt.
Albany	.....	.....	.....	.....	85	.....	.....	.....
West Troy	930	106	155	321	146	86	691	359
Waterford	.....	.....	851	.....	748	.....	.....	628
Total	930	106	1,006	321	979	86	691	987

Through freight (*in tons*) *going west, etc.*—(Continued).

OFFICES.	MERCHANDISE.						OTHER ARTICLES.
	Sugar.	Molasses.	Coffee.	Iron and steel.	Flint, enamel, crockery and glassware.	All other merchandise.	Stone, lime and clay.
Albany	748	.....	.....	.....	.....	3,783	4,218
West Troy	67,743	62	301	682	135	44,738	76,425
Waterford	899	.....	.....	967	.....	8,003	16,524
Total	69,390	62	301	1,649	135	56,524	97,167

Through freight (in tons) going west, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.						Total tons
	Rock and superphosphate.	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	100	2,082	816	.....	.....	474	13,137
West Troy	17,951	27,376	8,773	96	2,336	32,677	287,727
Waterford	.....	129,164	41,982	.....	3,411	.....	204,732
Total	18,051	158,622	51,571	96	5,747	33,151	505,596

Annual Statement, *showing the total quantity (in tons of* **2000** *pounds) of through freight going east and west during the season of* **1900.**

OFFICES.	The Forest—Product of Wood.						Agriculture—Product of Animals.	
	Boards and scantling.	Shingles.	Timber.	Wood.	Ashes, pot and pearl.	Pulp wood.	Lard, tallow and lard oil.	Hides.
Albany	831	.....	.....	.....	.....	.....	.....	.....
West Troy	3,262	.....	.....	.....	788	33	403	15
Tonawanda	229,021	.....	.....	.....	.....	.....	.....	.....
Buffalo	15,980	.....	.....	.....	.....	.....	.....	.....
Waterford	1,555	.....	.....	.....	.....	.....	.....	.....
Whitehall	91,883	32	.....	3,788	.....	2,383	.....	.....
Oswego	11,427	172	.....	.....	.....	.....	.....	.....
Boonville	13,817	.....	1,380	.....	.....	.....	.....	.....
Total	367,776	204	1,380	3,788	788	2,416	403	15

Through freight (in tons) going east and west, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.							
	Flour.	Wheat.	Rye.	Corn.	Barley.	Baley malt.	Oats.	Apples.
Albany	.....	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	.....	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	.....	.....
Buffalo	620	73,325	10,478	176,087	16,295	1,109	30,030	.....
Waterford	.....	.....	.....	.....	.....	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....	431
Oswego	.....	485	.....	.....	2,400	197	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....	.....
Total	620	73,810	10,478	176,087	18,695	1,306	30,030	431

Through freight (in tons) going east and west, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.					MANUFACTURES.
	Potatoes.	Dried fruit.	Cotton.	Hemp.	Clover and grass seed.	Flax seed.	Hay.	Domestic spirits.
Albany	.....	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	522	45	570	930	.....	.....	106
Tonawanda	.....	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	3,766	.....	.....
Waterford	.....	.....	.....	.....	.....	.....	.....	.....
Whitehall	3,818	.....	.....	.....	.....	.....	26,150	.....
Oswego	.....	.....	.....	.....	.....	.....	.....	.....
Boonville	1,411	.....	.....	.....	.....	.....	.....	.....
Total	5,229	522	45	570	930	3,766	26,150	106

Through freight (in tons) going east and west, etc.—(Continued).

OFFICES.	MANUFACTURES.							MERCHANDISE.
	Oil meal and cake.	Pig iron.	Bloom and bar iron.	Castings and iron ware.	Domestic woolens.	Domestic salt.	Foreign salt.	Sugar.
Albany	.....	.....	.....	85	.....	.....	.....	748
West Troy	.....	155	321	146	86	691	359	67,743
Tonawanda	.....	11,317	.....	.....	.....	.....	.....	.....
Buffalo	4,811	19,707	.....	.....	.....	.....	.....	.....
Waterford	.....	851	.....	748	.....	.....	628	899
Whitehall	.....	168	.....	147	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....	.....
Total	4,811	32,198	321	1,126	86	691	987	69,390

Through freight (in tons) going east and west, etc.—(Continued).

OFFICES.	MERCHANDISE.					All other merchandise.	OTHER ARTICLES.
	Molasses.	Coffee.	Iron and steel.	Railroad iron.	Flint, enamel, crockery and glassware.		Stone, lime and clay.
Albany	.....	.....	.....	.....	.....	3,783	4,218
West Troy	62	301	682	.....	135	44,738	76,425
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	299	.....	.....	451	1,451
Waterford	.....	.....	967	.....	.....	8,003	16,524
Whitehall	1	.....	33	336	.....	25	2,551
Oswego	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	63	301	1,981	336	135	57,000	101,169

Through freight (in tons) going east and west, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.						Total tons.
	Rock and superphosphate.	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	100	2,082	816	.....	.....	474	13,137
West Troy	17,951	27,376	8,773	96	2,336	32,677	287,727
Tonawanda	.....	.....	.....	.....	.....	.....	240,338
Buffalo	175	.....	224	917	183	.....	355,908
Waterford	.....	129,164	41,982	.....	3,411	.....	204,732
Whitehall	.....	.....	.....	.....	95,004	3,052	229,802
Oswego	.....	.....	.....	.....	.....	448	15,129
Boonville	.....	.....	.....	.....	.....	.....	16,608
Total	18,226	158,622	51,795	1,013	100,934	36,651	1,363,381

Total tons carried on the canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.							PRODUCT OF ANIMALS.
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Pulp wood.	Pork and beef.
Albany	3,219	94	207	.....	.....	.....	.....	.....
West Troy	8,819	6	.....	11	4,491	788	4,264	.....
Rome	2,109	.....	250	2	2,383	10	60	1
Syracuse	4,831	51	.....	.....	6,392	1	.....	5
Rochester	4	.....	.....	.....	1,834	.....	.....	.....
Tonawanda	256,958	.....	1,540	424	.....	.....	.....	.....
Buffalo	28,050	.....	12,300	1,747	.....	.....	.....	.....
Waterford	62,265	.....	8,096	.....	10,497	.....	1,953	.....
Whitehall	92,873	41	133	.....	4,488	.....	147,975	.....
Oswego	16,842	565	174	.....	1,142	.....	.....	.....
Geneva	50	.....	.....	.....	.....	.....	.....	.....
Boonville	21,661	.....	1,620	.....	15,764	.....	.....	.....
Total	497,681	757	24,320	2,184	46,991	799	154,252	6

Total tons carried on the canals, etc.—(Continued).

OFFICES.	PRODUCT OF ANIMALS.					AGRICULTURE—VEGETABLE FOOD.	
	Cheese.	Butter.	Lard, tallow and lard oil.	Wool.	Hides.	Flour.	Wheat.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	643	20	22	18	.....
Rome	4	.....	2	.....	1	15	2,578
Syracuse	80	49	.....	27	.....	258	2,476
Rochester	.....	.....	.....	.....	.....	.....	2,767
Tonawanda	.....	.....	.....	.....	.....	.....	310
Buffalo	.....	.....	.....	.....	.....	620	129,683
Waterford	.....	.....	.....	.....	.....	46	3
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	15	.....	.....	.....	.....	214	485
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	99	49	645	47	23	1,171	138,302

Total tons carried on the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Rye.	Corn.	Corn meal.	Barley.	Barley malt.	Oats.	Bran and ship stuffs.
Albany	.....	.....	.....	.....	.....	352	19
West Troy	.....	263	.....	.....	.....	198	50
Rome	.....	1,826	2	8	.....	1,662	193
Syracuse	.....	276	84	53	409	641	1,422
Rochester	.....	.....	.....	240	.....	.....	.....
Tonawanda	.....	224	.....	.....	.....	.....	.....
Buffalo	10,478	184,996	.....	53,472	4,281	33,564	.....
Waterford	.....	.....	.....	2,400	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	15	.....
Oswego	.....	1,404	2	2,400	197	3	183
Geneva	.....	24	.....	4,631	4,185	.....	10
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	10,478	189,013	88	63,204	9,072	36,435	1,877

Total tons carried on the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.				ALL OTHER AGRICULTURAL PRODUCTS.		
	Peas and beans.	Apples.	Potatoes.	Dried fruits.	Cotton.	Hemp.	Clover and grass seed.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	4	.....	.....	610	45	571	930
Rome	1	64	140	.....	.....	1	.....
Syracuse	.....	419	6,048	92	.....	.....	.....
Rochester	.....	.....	210	.....	.....	.....	.....
Tonawanda	.....	3,702	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	75	6,017	.....	.....	.....	.....
Whitehall	.....	431	3,818	.....	.....	.....	.....
Oswego	.....	18	.....	.....	.....	.....	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	7	1,561	.....	.....	.....	.....
Total	5	4,716	17,794	702	45	572	930

Total tons carried on the canals, etc.—(Continued).

OFFICES.	ALL OTHER AGRICULTURAL PRODUCTS.		MANUFACTURES.				
	Flax seed.	Hay.	Domestic spirits.	Oil meal and cake.	Furniture.	Pig iron.	Bloom and bar iron.
Albany	.....	.....	.....	.....	.....	.....	315
West Troy	.....	5,010	106	.....	.....	2,459	812
Rome	.....	.....	3	.....	.....	.....	.....
Syracuse	.....	745	.....	.....	21	62	.....
Rochester	.....	97	.....	.....	.....	.....	.....
Tonawanda	.....	75	.....	.....	.....	17,395	.....
Buffalo	3,766	.....	.....	4,811	.....	25,296	.....
Waterford	.....	327	.....	.....	.....	1,064	.....
Whitehall	.....	26,225	.....	.....	.....	168	.....
Oswego	.....	.....	26	.....	25	.....	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	3,766	32,479	135	4,811	46	46,444	1,127

Total tons carried on the canals, etc.—(Continued).

OFFICES.	MANUFACTURES.				MERCHANDISE.		
	Castings and ironware.	Domestic woolens.	Domestic salt.	Foreign salt.	Sugar.	Molasses.	Coffee.
Albany	192	.....	336	.....	1,272	.....	.....
West Troy	282	86	694	359	74,256	140	382
Rome	34	2	3	.....	2	2	2
Syracuse	93	.....	49,459	.....	445	83	.....
Rochester	.....	.....	25,161	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	748	.....	.....	628	899	.....	.....
Whitehall	147	.....	.....	.....	.....	1	.....
Oswego	2	.....	.....	.....	.....	.....	.....
Geneva	.....	.....	11,995	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	1,498	88	87,648	987	76,874	226	384

Total tons carried on the canals, etc.—(Continued).

OFFICES.	MERCHANDISE.					OTHER ARTICLES.	
	Nails, spikes and horseshoes.	Iron and steel.	Railroad iron.	Flint, enamel, crockery and glassware.	All other merchandise.	Ice.	Stone, lime and clay.
Albany	.....	.....	.....	.....	4,865	11,263	12,828
West Troy	.....	828	492	135	56,625	140,019	164,601
Rome	75	.....	.....	1	11,582	.....	16,971
Syracuse	.....	336	5	240	23,619	20,455	53,147
Rochester	.....	.....	.....	163	28,576	.....	45,269
Tonawanda	.....	.....	.....	.....	1,782	.....	106,200
Buffalo	.....	419	.....	.....	12,433	.....	2,983
Waterford	.....	967	.....	.....	24,276	66,020	44,075
Whitehall	.....	33	336	.....	25	.....	2,551
Oswego	.....	9	.....	.....	1,133	.....	4,779
Geneva	.....	.....	.....	.....	3,988	1,853	.....
Boonville	.....	.....	.....	.....	9	.....	24,210
Total	75	2,592	833	539	168,913	239,610	477,614

Total tons carried on the canals, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.						Total tons.
	Rock and super-phosphate.	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	492	23,600	6,846	.....	.....	850	66,750
West Troy	29,266	104,794	24,707	131	4,931	42,067	674,935
Rome	.....	31,329	265	3	.....	154	71,740
Syracuse	272	172,284	3,578	250	.....	4,078	352,786
Rochester	.....	38,090	69,299	.....	.....	1,075	212,785
Tonawanda	.....	.....	.....	.....	.....	.....	388,610
Buffalo	175	.....	224	917	.....	195	510,410
Waterford	.....	184,687	50,570	.....	3,579	4	469,196
Whitehall	.....	.....	.....	.....	95,004	3,343	377,607
Oswego	.....	75	.....	.....	.....	769	30,462
Geneva	.....	34,231	64,608	.....	.....	250	125,815
Boonville	.....	.....	.....	.....	.....	3	64,845
Total	30,205	589,090	220,097	1,301	103,514	52,788	3,345,941

Value of all the property carried on the canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.					
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.
Albany	$52,143	$2,256	$2,795	.....	.....	.....
West Troy	142,849	150	.....	$448	$6,416	$57,360
Rome	34,131	.....	3,388	72	3,404	680
Syracuse	78,273	1,131	.....	.....	9,132	80
Rochester	70	.....	.....	.....	2,620	.....
Tonawanda	4,162,728	.....	20,790	16,960	.....	.....
Buffalo	454,420	.....	166,050	69,880	.....	.....
Waterford	1,008,715	.....	109,291	.....	14,996	.....
Whitehall	1,504,546	978	1,791	.....	6,412	.....
Oswego	272,841	13,605	2,345	.....	1,632	.....
Geneva	810	.....	.....	.....	.....	.....
Boonville	350,906	.....	21,870	.....	22,520	.....
Total	$8,062,432	$18,120	$328,320	$87,360	$67,132	$58,120

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	THE FOREST—PRODUCT OF WOOD.	PRODUCT OF ANIMALS.				
	Pulp wood.	Pork and beef.	Cheese.	Butter.	Lard, tallow and lard oil.	Wool.
Albany	.....	.....	.....	.....	.....	.....
West Troy	$14,925	.....	.....	.....	$64,255	$10,000
Rome	209	$100	$800	.....	245	.....
Syracuse	.....	375	15,910	$19,600	.....	13,500
Rochester	.....	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....
Waterford	6,836	.....	.....	.....	.....	.....
Whitehall	517,912	.....	.....	.....	.....	.....
Oswego	.....	.....	3,090	.....	.....	.....
Geneva	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....
Total	$539,882	$475	$19,800	$19,600	$64,500	$23,500

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	PRODUCT OF ANIMALS.	AGRICULTURE—VEGETABLE FOOD.				
	Hides.	Flour.	Wheat.	Rye.	Corn.	Corn meal.
Albany	.....	.....	.....	.....	.....	.....
West Troy	$5,448	$774	.....	.....	$4,230	.....
Rome	72	592	$68,746	.....	29,358	$43
Syracuse	.....	10,751	66,040	.....	4,432	1,945
Rochester	.....	.....	73,778	.....	.....	.....
Tonawanda	.....	.....	8,288	.....	3,600	.....
Buffalo	.....	25,830	3,458,207	$187,000	2,973,153	.....
Waterford	.....	1,913	80	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....
Oswego	.....	8,933	12,941	.....	22,568	50
Geneva	.....	.....	.....	.....	367	.....
Boonville	.....	.....	.....	.....	.....	.....
Total	$5,520	$48,793	$3,688,080	$187,000	$3,037,708	$2,038

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.					
	Barley.	Barley malt.	Oats.	Bran and ship stuffs.	Peas and beans	Apples.
Albany	.....	.....	$5,720	$381	.....	.....
West Troy	.....	.....	3,224	1,000	$308	.....
Rome	$512	.....	26 990	3,863	25	$1,789
Syracuse	1,320	$17,095	10,416	28,431	.....	11,808
Rochester	6,000	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	104,294
Buffalo	1,336,794	176,264	545,417	.....	.....	.....
Waterford	60,000	.....	.....	.....	.....	2,100
Whitehall	.....	.....	247	.....	.....	12,154
Oswego	60,000	8,110	54	3,665	.....	500
Geneva	115,774	172,331	.....	.....	.....	.....
Boonville	.....	.....	.....	200	.....	200
Total	$1,580,400	$373,800	$592,068	$37,540	$333	$132,845

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.			
	Potatoes.	Dried fruit.	Cotton.	Hemp.	Clover and grass seed.	Flax seed.
Albany	.....	.....	.....	.....	.....	.....
West Troy	.....	$85,372	$9,000	$102,825	$93,000	.....
Rome	$2,334	.....	.....	135	.....	.....
Syracuse	100,800	12,908	.....	.....	.....	.....
Rochester	3,500	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	$150,640
Waterford	100,283	.....	.....	.....	.....	.....
Whitehall	63,630	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	.....	.....
Geneva	.....	.....	.....	.....	.....	.....
Boonville	26,020	.....	.....	.....	.....	.....
Total	$296,567	$98,280	$9,000	$102,960	$93,000	$150,640

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	ALL OTHER AGRICULTURAL PRODUCTS.	MANUFACTURES.				
	Hay.	Domestic spirits.	Oil meal and cake.	Furniture.	Pig iron.	Bloom and bar iron.
Albany	.....	.....	.....	.....	.....	$12,588
West Troy	$75,163	$33,416	.....	.....	$36,875	32,492
Rome	.....	709	.....	.....	.....	.....
Syracuse	11,162	.....	.....	$10,500	937	.....
Rochester	1,455	.....	.....	.....	.....	.....
Tonawanda	1,125	.....	.....	.....	260,929	.....
Buffalo	.....	.....	$192,440	.....	379,439	.....
Waterford	4,900	.....	.....	.....	15,960	.....
Whitehall	393,380	.....	.....	.....	2,520	.....
Oswego	.....	8,063	.....	12,500	.....	.....
Geneva	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....
Total	$487,185	$42,188	$192,440	$23,000	$696,660	$45,080

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	MANUFACTURES.				MERCHANDISE.	
	Castings and ironware.	Domestic woolens.	Domestic salt.	Foreign salt.	Sugar.	Molasses.
Albany	$11,478	.....	$3,360	.....	$139,931	.....
West Troy	16,890	$86,000	6,933	$7,174	8,168,280	$14,090
Rome	2,040	2,000	37	.....	89	110
Syracuse	5,662	.....	494,590	.....	48,950	8,325
Rochester	.....	.....	251,610	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....
Waterford	44,890	.....	.....	12,566	98,890	.....
Whitehall	8,815	.....	.....	.....	.....	75
Oswego	105	.....	.....	.....	.....	.....
Geneva	.....	.....	119,950	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....
Total	$89,880	$88,000	$876,480	$19,740	$8,456,140	$22,600

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	MERCHANDISE.				
	Coffee.	Nails, spikes and horseshoes.	Iron and steel.	Railroad iron.	Flint, enamel, crockery and glassware.
Albany	.....	.....	.....	.....	.....
West Troy	$152,880	.....	$33,088	$14,747	$67,550
Rome	720	$6,000	40	.....	50
Syracuse	.....	.....	13,440	163	120,250
Rochester	.....	.....	.....	.....	81,650
Tonawanda	.....	.....	.....	.....	.....
Buffalo	.....	.....	16,760	.....	.....
Waterford	.....	.....	38,662	.....	.....
Whitehall	.....	.....	1,320	10,080	.....
Oswego	.....	.....	370	.....	.....
Geneva	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....
Total	$153,600	$6,000	$103,680	$24,990	$269,500

Value of all the property carried on the canals, etc.—(Continued).

OFFICES.	All other merchandise.	Other Articles.			
		Ice.	Stone, lime and clay.	Rock and super-phosphate.	Anthracite coal.
Albany	$972,960	$56,313	$64,146	$4,923	$118,001
West Troy	11,325,080	700,096	823,009	292,652	523,971
Rome	2,316,400	.....	84,847	.....	156,667
Syracuse	4,723,814	102,274	265,730	2,725	861,395
Rochester	5,715,140	.....	226,343	.....	190,450
Tonawanda	356,425	.....	531,000	.....	.....
Buffalo	2,486,625	.....	14,917	1,750	.....
Waterford	4,855,356	330,102	220,373	.....	923,435
Whitehall	5,000	.....	12,757	.....	.....
Oswego	226,450	.....	23,898	.....	375
Geneva	797,600	9,265	.....	.....	171,156
Boonville	1,750	.....	121,050	.....	.....
Total	33,782,600	1,198,050	2,388,070	302,050	2,945,450

Value of all the property carried on the canals, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.				Total value.
	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	$34,228	.....	.....	$169,940	$1,651,163
West Troy	123,534	$919	$24,653	8,413,360	31,574,436
Rome	1,328	2	.....	31,341	2,779,868
Syracuse	17,889	1,714	.....	815,600	7,909,067
Rochester	346,496	.....	.....	215,000	7,114.112
Tonawanda	.....	.....	.....	.....	5,466,139
Buffalo	1,120	6,286	.....	39,000	12,681,992
Waterford	252,850	.....	17,897	800	8,120,895
Whitehall	.....	.....	475,020	668,559	3,685,196
Oswego	.....	.....	.....	153,500	835,595
Geneva	323,040	.....	.....	50,000	1,760,293
Boonville	.....	.....	.....	500	545,016
Total	1,100,485	8,921	517,570	10,557,600	84,123,772

Property (in tons of 2,000 pounds) arriving at tide-water from the Erie canal during the season of 1900.

OFFICES.	FOREST—PRODUCT OF WOOD.						PRODUCT OF ANIMALS.
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Lard, tallow and lard oil.
Albany	127,006	.....	.....	.....	535	.....	.....
West Troy	123,358	.....	.....	.....	1,730	.....	826
Total	250,364	.....	.....	.....	2,265	.....	826

Property (in tons) arriving at tide-water from the Erie canal, etc.—(Continued).

OFFICES.	ALL OTHER AGRICULTURAL PRODUCTS.			MANUFACTURES.			
	Potatoes.	Flax seed.	Hay.	Domestic spirits.	Oil meal and cake.	Bar and pig lead.	Pig iron.
Albany	651	.....	167	.....	.....	.....	417
West Troy	5,291	3,532	5,077	.....	4,811	.....	31,022
Total	5,942	3,532	5,244	.....	4,811	.....	31,439

Property (in tons) arriving at tide-water from the Erie canal, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.							
	Flour.	Wheat.	Rye.	Corn.	Barley.	Barley malt	Oats.	Apples.
Albany	.....	2,403	1,691	11,967	960	196	1,365	.....
West Troy	562	68,430	8,787	166,596	14,418	1,409	29,440	321
Total	562	70,833	10,478	178,563	15,378	1,605	30,805	321

Property (in tons) arriving at tide-water from the Erie canal, etc.—(Continued).

OFFICES.	MANUFACTURES.		MERCHANDISE.				OTHER ARTICLES.
	Castings and iron-ware.	Domestic salt.	Sugar.	Iron and steel.	Frint, enamel, crockery and glassware.	All other merchandise.	Ice.
Albany	.....	1,451	.....	.....	.....	3	11,722
West Troy	.....	66,053	.....	386	.....	1,903	139,520
Total	.....	67,504	.....	386	.....	1,906	151,242

Property (in tons) arriving at tide-water from the Erie canal, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.						Total tons.
	Petroleum.	Stone, lime and clay.	Rock and super phosphate.	Anthracite coal.	Bituminous coal.	Sundries.	
Albany	.....	806	.....	.....	678	.....	162,018
West Troy	200	30,016	545	12,886	8,674	1,473	727,266
Total	200	30,822	545	12,886	9,352	1,473	889,284

Property (in tons of **2,000** *pounds) arriving at tide-water from the Champlain canal during the season of* 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.					AGRICULTURE—VEGETABLE FOOD.	
	Boards and scantling.	Shingles.	Timber.	Wood.	Pulp wood.	Flour.	Wool.
Albany	34,690	.....	.....	3,581	129	.....	.....
West Troy, through	39,732	40	.....	5,454	.....	.....	.....
West Troy, way, to New York and east	40,534	.....	106	6,538	.....	46	3
Waterford	33,996	1	.....	252	60	.....	.....
Total	148,952	41	106	15,825	189	46	3

Property (in tons) arriving at tide-water from the Champlain canal, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.			ALL OTHER AGRICULTURAL PRODUCTS.	MANUFACTURES.	MERCHANDISE.	
	Wheat.	Apples.	Potatoes.	Hay.	Pig iron.	Nails, spikes and horse-shoes.	Castings and ironware.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy, through	.....	366	2,879	9,468	.....	.....	147
West Troy, way, to New York and east	3	4	4,083	265	.....	.....	.....
Waterford	.....	107	2,883	16,283	168	.....	.....
Total	3	477	9,845	26,016	168	.....	147

Property (in tons) arriving at tide-water from the Champlain canal, etc.—(Concluded).

OFFICES.	MERCHANDISE.		OTHER ARTICLES.					Total tons.
	Railroad iron.	All other merchandise.	Ice.	Stone, lime and clay.	Rock and super phosphate.	Iron ore.	Sundries.	
Albany	.....	135	1,476	1,186	.....	1,678	101	42,976
West Troy, through	33	202	.....	2,383	.....	70,753	1,227	132,684
West Troy, way, to New York and east	.....	6,075	52,649	16,863	.....	.....	.....	127,169
Waterford	336	5,968	12,957	3,153	.....	22,959	1,432	100,555
Total	369	12,380	67,082	23,585	.....	95,390	2,760	403,384

Property (in tons of 2,000 pounds) arriving at tide-water from the Black River canal during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.			AGRICULTURE—VEGETABLE FOOD.	OTHER ARTICLES.	Total tons.
	Boards and scantling.	Timber.	Wood.	Potatoes.	Sundries.	
Albany	12,245	.....	.....	654	152	13,051
West Troy	1,812	1,320	.....	958	.....	4,090
Total	14,057	1,320	.....	1,612	152	17,141

Property (in tons of 2,000 pounds) arriving at tide-water from the Oswego canal during the season of 1900.

OFFICES.	Sundries.	THE FOREST—PRODUCT OF WOOD.		AGRICULTURE—VEGETABLE FOOD.			Total tons.
		Boards and scantling.	Shingles.	Wheat.	Barley.	Barley malt.	
Albany	.....	6,583	72	.....	.....	.....	6,655
West Troy	447	4,845	100	485	2,400	197	8,474
Total	447	11,428	172	485	2,400	197	15,129

Property (in tons of 2,000 pounds) arriving at tide-water from the Cayuga and Seneca canal during the season of 1900.

OFFICES.	AGRICULTURE—VEGETABLE FOOD.	MANUFACTURES.	OTHER ARTICLES.		Total tons.
	Barley.	Domestic salt.	Anthracite coal.	Bituminous coal.	
Albany	.....	1,471	.....	.....	1,471
West Troy	.....	12,231	399	1,592	14,222
Total	.....	13,702	399	1,592	15,693

Property (in tons of 2,000 pounds) arriving at tide-water from all canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.					PRODUCT OF ANIMALS.	
	Boards and scantling.	Shingles.	Timber.	Wood.	Pulp wood.	Lard, tallow and lard oil.	Wool.
Albany	180,524	72	.....	4,116	129	.....	.....
West Troy	210,281	140	1,426	13,722	.....	826	3
Waterford	33,996	1	.....	252	60	.....	.....
Total	424,801	213	1,426	18,090	189	826	3

Property arriving (in tons) at tide water from all canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Flour.	Wheat.	Rye.	Corn.	Barley.	Barley malt.	Oats.
Albany	.....	2,403	1,691	11,967	960	196	1,365
West Troy	608	68,918	8,787	166,596	16,818	1,606	29,440
Waterford	.....	.....	.....	.....	.....	.....	.....
Total	608	71,321	10,478	178,563	17,778	1,802	30,805

Property (in tons) arriving at tide-water from all canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.		MANUFACTURES		
	Apples.	Potatoes.	Flax seed.	Hay.	Oil meal and cake.	Pig iron.	Castings and ironware.
Albany	.....	1,305	.....	167	.....	417	.....
West Troy	691	13,211	3,532	14,810	4,811	31,022	147
Waterford	107	2,883	.....	16,283	.....	168	.....
Total	798	17,399	3,532	31,260	4,811	31,607	147

Property (in tons) arriving at tide-water from all canals, etc.—(Continued).

OFFICES.	MANUFACTURES.	MERCHANDISE.			OTHER ARTICLES.		
	Domestic salt.	Iron and steel.	Railroad iron.	All other merchandise.	Ice.	Stone, lime and clay.	Rock and super phosphate.
Albany	2,922	.....	.....	290	13,198	1,992	.....
West Troy	78,284	386	33	8,180	192,169	49,262	545
Waterford	.....	.....	336	5,968	12,957	3,153	.....
Total	81,206	386	369	14,438	218,324	54,407	545

Property (in tons) arriving at tide-water from all canals, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.					Total tons.
	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	.....	678	.....	1,678	101	226,171
West Troy	13,285	10,266	200	70,753	3,147	1,013,905
Waterford	.....	.....	.....	22,959	1,432	100,555
Total	13,285	10,944	200	95,390	4,680	1,340,631

Property (in tons of 2,000 pounds) left at and between offices on the canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.						
	Boards and scantling.	Shingles.	Timber.	Staves.	Wood.	Ashes, pot and pearl.	Pulp wood.
Albany	181,094	97	207	.....	4,116	.....	129
West Troy	214,132	154	1,426	.....	14,184	.....	4,217
Rome	22,220	4	.....	.....	5,785	.....	60
Syracuse	23,339	420	176	.....	18,110	.....	.....
Rochester	23,199	.....	780	375	2,131	107	.....
Tonawanda	640	.....	.....	2,863	898	224	1,030
Buffalo	2,243	.....	1,340	.....	.....	.....	.....
Waterford	38,339	1	2,575	.....	1,204	.....	59,013
Whitehall	1,210	.....	.....	.....	490	.....	89,803
Oswego	1,418	24	1,060	.....	473	.....	.....
Geneva	50	.....	.....	.....	378	.....	.....
Boonville	251	31	240	.....	325	.....	.....
Total	508,135	731	7,804	3,238	48,094	331	154,252

Property (in tons) left at and between offices on the canals, etc.—(Continued).

OFFICES.	PRODUCT OF ANIMALS.						
	Pork and beef.	Bacon.	Cheese.	Butter.	Lard, tallow and lard oil.	Wool.	Hides.
Albany	.....	.....	.....	.....	.....	.....	.....
West Troy	.....	.....	.....	.....	902	23	8
Rome	.....	.....	.....	.....	.....	.....	.....
Syracuse	7	92	149	49	57	27	8
Rochester	.....	.....	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	.....	.....	.....	.....
Waterford	.....	.....	.....	.....	.....	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	.....	.....	.....	.....	.....	.....	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	.....	.....	.....	.....
Total	7	92	149	49	959	50	16

Property (in tons) left at and between offices on the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Flour.	Wheat.	Rye.	Corn.	Corn meal.	Barley.	Barley malt
Albany	.....	2,403	1,691	11,967	.....	960	196
West Troy	610	68,918	8,787	166,596	.....	16,818	1,606
Rome	3	.....	.....	471	.....	.....	.....
Syracuse	143	9,581	.....	5,385	1	8,080	19
Rochester	.....	42,261	.....	.....	.....	5,472	.....
Tonawanda	.....	7,920	.....	.....	.....	.....	.....
Buffalo	.....	311	.....	.....	.....	.....	.....
Waterford	16	.....	.....	269	.....	1,440	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	214	483	.....	1,881	2	6,674	.....
Geneva	.....	.....	140	3,155	.....	20,999	8,226
Boonville	127	.....	.....	794	89	.....	.....
Total	1,113	131,877	10,618	190,518	92	60,443	10,047

Property (in tons) left at and between offices on the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						ALL OTHER AGRICULTURAL PRODUCTS.
	Oats.	Bran and ship stuffs.	Peas and beans.	Apples.	Potatoes.	Dried fruit.	Hemp.
Albany	1,365	.....	.....	.....	1,305	.....	.....
West Troy	29,440	.....	.....	691	13,211	.....	.....
Rome	67	50	.....	.....	.....	.....	.....
Syracuse	4,102	167	5	320	279	357	.....
Rochester	.....	.....	.....	.....	.....	.....	.....
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	.....	3,466	.....	431	288
Waterford	514	69	.....	107	2,883	.....	.....
Whitehall	.....	.....	.....	.....	.....	.....	.....
Oswego	3	183	.....	18	.....	.....	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	132	998	.....	77	.....	.....	.....
Total	35,623	1,467	5	4,679	17,678	788	288

Property left at and between offices on the canals, etc.—(Continued).

OFFICES.	ALL OTHER AGRICULTURAL PRODUCTS.			MANUFACTURES.			
	Clover and grass seed.	Flax seed.	Hay.	Domestic spirits.	Oil meal and cake.	Furniture.	Pig iron.
Albany	.....	.....	167	.....	.....	.....	417
West Troy	.....	3,532	14,810	.....	4,811	.....	31,425
Rome	.....	.....	.....	.....	.....	.....	1,198
Syracuse	.....	.....	756	15	.....	16	6,494
Rochester	.....	.....	97	.....	.....	.....	1,623
Tonawanda	.....	.....	.....	.....	.....	.....	748
Buffalo	834	.....	74	91	.....	.....	30
Waterford	.....	.....	16,498	.....	.....	.....	1,256
Whitehall	.....	.....	.....	.....	.....	.....	977
Oswego	.....	.....	.....	10	.....	5	.....
Geneva	.....	.....	.....	.....	.....	.....	861
Boonville	.....	.....	.....	11	2	.....	.....
Total	834	3,532	32,402	127	4,813	21	45,029

Property left at and between offices on the canals, etc.—(Continued).

OFFICES.	MANUFACTURES.					MERCHANDISE.	
	Bloom and bar iron.	Castings and iron-ware.	Domestic woolens.	Domestic salt.	Foreign salt.	Sugar.	Molasses.
Albany	.....	.....	.....	2,922	.....	.....	.....
West Troy	.....	158	.....	78,284	.....	2,114	17
Rome	.....	.....	.....	2	.....	.....	.....
Syracuse	281	65	.....	6,802	.....	4,261	151
Rochester	43	.....	.....	.....	.....	2,015	2
Tonawanda	.....	.....	.....	.....	.....	.....	.....
Buffalo	.....	.....	64	800	202	65,709	62
Waterford	.....	184	.....	.....	.....	15	.....
Whitehall	325	1,015	.....	691	785	916	.....
Oswego	2	33	.....	189	.....	28	.....
Geneva	.....	.....	.....	.....	.....	.....	.....
Boonville	.....	.....	.....	476	.....	4	.....
Total	651	1,455	64	90,166	987	75,062	232

Property left at and between offices on the canals, etc.—(Continued).

OFFICES.	MERCHANDISE.						OTHER ARTICLES.
	Coffee.	Nails, spikes and horseshoes.	Iron and steel.	Railroad iron.	Flint, enamel, crockery and glassware.	All other merchandise.	Ice.
Albany	.....	.....	.....	.....	.....	290	13,198
West Troy	49	.....	386	388	.....	10,134	192,169
Rome	.....	75	.....	.....	.....	4,811	.....
Syracuse	47	.....	1,002	412	60	33,585	27,145
Rochester	39	.....	.....	.....	40	27,019	.....
Tonawanda	.....	.....	.....	.....	.....	311	.....
Buffalo	229	.....	1,134	.....	358	68,845	.....
Waterford	.....	.....	.....	396	.....	14,086	12,957
Whitehall	.....	.....	1,070	.....	.....	8,481	.....
Oswego	.....	.....	160	.....	.....	2,287	.....
Geneva	.....	.....	.....	.....	.....	4,569	.....
Boonville	.....	.....	.....	3	8	505	.....
Total	364	75	3,752	1,199	466	174,923	245,469

Property (in tons) left at and between offices on the canals, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.							Total tons.
	Stone, lime and clay.	Rock and super-phosphate.	Anthracite coal	Bituminous coal.	Petroleum	Iron ore.	Sundries.	
Albany	3,952	.....	3,232	678	.....	1,678	101	232,165
West Troy	79,155	1,938	52,551	11,319	211	70,753	3,728	1,099,655
Rome	50,959	.....	23,970	2,890	.....	840	2	113,407
Syracuse	75,855	7,236	164,915	99,080	369	454	6,459	506,333
Rochester	62,241	5,864	49,740	340	.....	.....	2,369	225,757
Tonawanda	3,881	.....	901	.....	.....	.....	3,771	23,187
Buffalo	173,560	17,932	467	.....	874	2,022	29,703	371,069
Waterford	18,456	.....	89,185	23,101	9	23,143	1,523	307,239
Whitehall	22,561	.....	155,330	48,340	.....	3,692	392	336,078
Oswego	5,377	.....	4,742	.....	.....	.....	758	26,024
Geneva	4,233	.....	25,186	10,103	.....	.....	422	78,322
Boonville	1,039	20	3,271	8,127	7	.....	112	16,649
Total	501,269	32,990	573,490	203,978	1,470	102,582	49,340	3,335,885

Property (in tons of 2,000 pounds) that went to New York from the Erie canal during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.		PRODUCT OF ANIMALS.	AGRICULTURE—VEGETABLE FOOD.			
	Boards and scantling.	Wood.	Lard, tallow and lard oil.	Flour.	Wheat.	Rye.	Corn.
Albany	21,610	339	.....	.....	2,403	1,691	11,967
West Troy	117,900	958	826	562	68,430	8,787	166,596
Total	139,510	1,297	826	562	70,833	10,478	178,563

Property (in tons) that went to New York from the Erie canal, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.					ALL OTHER AGRICULTURAL PRODUCTS.	
	Barley.	Barley malt.	Oats.	Apples.	Potatoes.	Flax seed.	Hay.
Albany	960	196	1,365	.....	651	.....	63
West Troy	14,418	1,409	29,440	321	5,291	3,532	5,077
Total	15,378	1,605	30,805	321	5,942	3,532	5,140

Property (in tons) that went to New York from the Erie canal, etc.—(Continued).

OFFICES.	MANUFACTURES			MERCHANDISE.		OTHER ARTICLES.	
	Oil meal and cake.	Pig iron.	Domestic salt.	Iron and steel.	All other merchandise.	Ice.	Stone, lime and clay.
Albany	.....	217	1,451	.....	.....	11,722	225
West Troy	4,811	24,527	65,362	386	1,841	139,520	17,455
Total	4,811	24,744	66,813	386	1,841	151,242	17,680

Property (in tons) that went to New York from the Erie canal, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.					Total tons.
	Rock and super-phosphate.	Anthracite coal.	Bituminous coal.	Petroleum.	Sundries.	
Albany	.....	.....	.....	.....	.....	54,860
West Troy	545	224	1,251	200	1,265	680,934
Total	545	224	1,251	200	1,265	735,794

Property (in tons of 2,000 pounds) that went to New York from the Champlain canal during the season of 1900.

OFFICES.	FOREST—PRODUCT OF WOOD.				AGRICULTURE—VEGETABLE FOOD.		ALL OTHER AGRICULTURAL PRODUCTS.	MANUFACTURES.
	Boards and scantling.	Shingles.	Wood.	Pulp wood.	Apples.	Potatoes.	Hay.	Pig iron.
Albany	5,228	.....	2,685	129	.....	.....	.....	.....
West Troy	74,081	40	3,928	.....	366	6,962	9,733	.....
Waterford	33,996	1	252	60	107	2,883	16,283	168
Total	113,305	41	6,865	189	473	9,845	26,016	168

Property (in tons of 2,000 pounds) that went to New York from the Champlain canal, etc.—(Concluded).

OFFICES.	MANUFACTURES.	MERCHANDISE.		OTHER ARTICLES.				Total tons.
	Castings and ironware.	Railroad iron.	All other merchandise.	Ice.	Stone, lime and clay.	Iron ore.	Sundries.	
Albany	.....	.....	135	1,276	876	1,678	101	12,108
West Troy	147	33	5,202	52,649	16,751	68,158	1,227	239,277
Waterford	.....	336	5,968	12,957	3,153	22,959	1,432	100,555
Total	147	369	11,305	66,882	20,780	92,795	2,760	351,940

Property (in tons of 2,000 pounds) that went to New York from all canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.					PRODUCT OF ANIMALS.	AGRICULTURE—VEGETABLE FOOD.
	Boards and scantling.	Shingles.	Timber.	Wood.	Pulp wood.	Lard, tallow and lard oil.	Flour.
Albany	26,838	.....	.....	3,024	129	.....	.....
West Troy	198,638	140	1,320	4,886	.....	826	562
Waterford	33,996	1	.....	252	60	.....	.....
Total	259,472	141	1,320	8,162	189	826	562

Property (in tons) that went to New York from all canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Wheat.	Rye.	Corn.	Barley.	Barley malt.	Oats.	Apples.
Albany	2,403	1,691	11,967	960	196	1,365	.....
West Troy	68,915	8,787	166,596	14,418	1,606	29,440	687
Waterford	.....	.....	.....	.....	.....	.....	107
Total	71,318	10,478	178,563	15,378	1,802	30,805	794

Property (in tons) that went to New York from all canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.	ALL OTHER AGRICULTURAL PRODUCTS.		MANUFACTURES.			
	Potatoes.	Flax seed.	Hay.	Oil meal and cake.	Pig iron.	Castings and iron-ware.	Domestic salt.
Albany	651	.....	63	.....	217	.....	1,451
West Troy	13,211	3,532	14,810	4,811	24,527	147	77,593
Waterford	2,883	.....	16,283	.....	168	.....	.....
Total	16,745	3,532	31,156	4,811	24,912	147	79,044

Property (in tons) that went to New York from all canals, etc.—(Continued).

OFFICES.	MERCHANDISE.			OTHER ARTICLES.		
	Iron and steel.	Railroad iron.	All other merchandise,	Ice.	Stone, lime and clay.	Rock and super-phosphate.
Albany	.....	.....	135	12,998	1,101	.....
West Troy	386	33	7,043	192,169	34,206	545
Waterford	.....	336	5,968	12,957	3,153	.....
Total	386	369	13,146	218,124	38,460	545

Property (in tons) that went to New York from all canals, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.					Total tons.
	Anthracite coal.	Bituminous coal.	Petroleum	Iron ore.	Sundries.	
Albany	.....	.....	.....	1,678	101	66,968
West Troy	623	2,843	200	68,158	2,939	944,597
Waterford	.....	.....	.....	22,959	1,432	100,555
Total	623	2,843	200	92,795	4,472	1,112,120

Value of all the property that went to New York from the canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.					PRODUCT OF ANIMALS.	AGRICULTURE—VEGETABLE FOOD.
	Boards and scantling.	Shingles.	Timber.	Wood.	Pulp wood.	Lard, tallow and lard oil.	Flour.
Albany	$434,760	.....	.....	$4,320	$452	.....	.....
West Troy	3,217,952	$3,360	$17,820	6,980	.....	$82,580	$23,436
Waterford	550,732	30	.....	360	210	.....	.....
Total	$4,203,444	$3,390	$17,820	$11,660	$662	$82,580	$23,436

Value of all the property that went to New York from the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Wheat.	Rye.	Corn.	Barley.	Barley malt.	Oats.	Apples.
Albany	$64,080	$30,200	$192,330	$24,000	$8,050	$22,178	.....
West Troy	1,837,741	156,912	2,677,439	360,453	70,239	478,403	$19,348
Waterford	.....	.....	.....	.....	.....	.....	3,006
Total	$1,901,821	$187,112	$2,869,769	$384,453	$78,289	$500,581	$22,354

Value of all the property that went to New York from the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.	ALL OTHER AGRICULTURAL PRODUCTS.		MANUFACTURES.			
	Potatoes.	Flax seed.	Hay.	Oil meal and cake.	Pig iron.	Castings and ironware.	Domestic salt.
Albany	$10,850	.....	$940	.....	$3,255	.....	$14,508
West Troy	220,177	$141,292	222,165	$192,498	367,905	$8,814	775,938
Waterford	48,050	.....	244,244	.....	2,520	.....	.....
Total	$279,077	$141,292	$467,349	$192,498	$373,680	$8,814	$790,446

Value of all the property that went to New York from the canals, etc.—(Continued).

OFFICES.	MERCHANDISE.			OTHER ARTICLES.		
	Iron and steel.	Railroad iron.	All other merchandise.	Ice.	Stone, lime and clay.	Rock and superphos phate.
Albany	.....	.....	$27,000	$64,988	$5,503	.....
West Troy	$15,440	$990	1,408,630	960,843	171,033	$5,446
Waterford	.....	10,080	1,193,665	64,786	15,767	.....
Total	$15,440	$11,070	$2,629,295	$1,090,617	$192,303	$5,446

Value of all the property that went to New York from the canals, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.					Total value.
	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	.....	.....	.....	$8,389	$20,100	$935,903
West Troy	$3,118	$14,217	$1,370	340,789	587,800	14,391,128
Waterford	.....	.....	.....	114,795	286,491	2,534,736
Total	$3,118	$14,217	$1,370	$463,973	$894,391	$17,861,767

Property (in tons of 2,000 pounds) that went to New York from the Oswego, the Cayuga and Seneca and the Black River canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.			AGRICULTURE—VEGETABLE FOOD.		
	Boards and scantling.	Shingles.	Timber.	Wheat.	Barley malt.	Potatoes.
Oswego	4,845	100	.....	485	197	.....
Cayuga and Seneca	.....	.....	.....	.....	.....	.....
Black River	1,812	.....	1,320	.....	.....	958
Total	6,657	100	1,320	485	197	958

Property (in tons of 2,000 *pounds) that went to New York from the Oswego, the Cayuga and Seneca and the Black River canals, etc.*—(Concluded).

OFFICES.	MERCHANDISE.	OTHER ARTICLES.			Total tons.
	Domestic salt.	Anthracite coal.	Bituminous coal.	Sundries	
Oswego	.....	.....	.....	447	6,074
Cayuga and Seneca	12,231	399	1,592	.....	14,222
Black River	.....	.....	.....	.....	4,090
Total	12,231	399	1,592	447	24,386

Value of all the property left at tide-water from the canals during the season of 1900.

OFFICES.	THE FOREST—PRODUCT OF WOOD.					PRODUCT OF ANIMALS.	
	Boards and scantling.	Shingles.	Timber.	Wood.	Pulp wood.	Lard, tallow and lard oil.	Wool.
Albany	$2,924,479	$1,722	.....	$5,880	$452	.....	.....
West Troy	3,403,329	3,360	$19,251	19,604	.....	$82,580	$1,250
Waterford	550,732	30	.....	360	210	.....	.....
Total	$6,878,540	$5,112	$19,251	$25,844	$662	$82,580	$1,250

Value of all the property left at tide-water from the canals, etc.—(Continued).

OFFICES.	AGRICULTURE—VEGETABLE FOOD.						
	Flour.	Wheat.	Rye.	Corn.	Barley.	Barley malt	Oats
Albany	.....	$64,080	$30,200	$192,330	$24,000	$8,050	$22,178
West Troy	$25,349	$1,837,821	156,912	2,677,439	420,453	70,239	478,403
Waterford	.....	.....	.....	.....	.....	.....	.....
Total	$25,349	$1,901,901	$187,112	$2,869,769	$444,453	$78,289	$500,581

Value of all the property left at tide-water from the canals, etc.—(Continued).

OFFICES	AGRICULTURE—VEGETABLE FOOD		ALL OTHER AGRICULTURAL PRODUCTS.		MANUFACTURES.		
	Apples.	Potatoes.	Flax seed.	Hay.	Oil meal and cake.	Pig iron.	Castings and ironware.
Albany	.....	$21,750	.....	$2,507	.....	$6,255	.....
West Troy	$19,448	220,177	$141,292	222,165	$192,498	465,338	$8,814
Waterford	3,006	48,050	.....	244,244	.....	2,520	.....
Total	$22,454	$289,977	$141,292	$468,916	$192,498	$474,113	$8,814

Value of all the property left at tide-water from the canals, etc.—(Continued).

OFFICES.	MANUFACTURES.	MERCHANDISE.			OTHER ARTICLES.		
	Domestic salt.	Iron and steel.	Railroad iron.	All other merchandise.	Ice.	Stone, lime and clay.	Rock and superphosphate.
Albany	$29,218	.....	.....	$58,090	$65,988	$9,958	.....
West Troy	782,849	$15,440	$990	1,635,840	960,843	246,315	$5,446
Waterford	.....	.....	10,080	1,193,665	64,786	15,767	.....
Total	$812,067	$15,440	$11,070	$2,887,595	$1,091,617	$272,040	$5,446

Value of all property left at tide-water from the canals, etc.—(Concluded).

OFFICES.	OTHER ARTICLES.					Total value.
	Anthracite coal.	Bituminous coal.	Petroleum.	Iron ore.	Sundries.	
Albany	.....	$3,391	.....	$8,389	$20,100	$3,499,017
West Troy	$66,428	51,332	$1,370	353,764	629,400	15,215,739
Waterford	.....	.....	.....	114,795	286,491	2,534,736
Total	$66,428	$54,723	$1,370	$476,948	$935,991	$21,249,492

STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of property cleared at Buffalo during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	28,050	$454,420
Timber	12,300	166,050
Staves and heading	1,747	69,880
Flour	620	25,830
Wheat	129,683	3,458,207
Rye	10,478	187,000
Corn	184,996	2,973,153
Barley	53,472	1,336,794
Barley malt	4,281	176,264
Oats	33,564	545,417
Flaxseed	3,766	150,640
Oil meal and cake	4,811	192,440
Pig iron	25,296	379,439
Sundries	1,511	48,156
Iron and steel	419	16,760
All other merchandise	12,433	2,486,625
Stone, lime and clay	2,983	14,917
Total tons and value	510,410	$12,681,992

STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of property left at Buffalo during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	2,243	$36,344
Timber	1,340	1,809
Wheat	311	8,288
Apples	3,466	97,640
Dried fruit	431	60,379
Hemp	288	51,817
Clover and grass seed	834	83,425
Hay	74	1,110
Domestic spirits	91	28,494
Pig iron	30	443
Domestic woolens	64	64,231
Domestic salt	800	8,000
Foreign salt	202	4,036
Sugar	65,709	7,228,013
Molasses	62	6,245
Coffee	229	91,570
Iron and steel	1,134	45,363
Flint, enamel, crockery and glass ware	358	178,945
All other merchandise	68,845	13,769,117
Stone, lime and clay	173,560	867,802
Phosphate	17,932	179,318
Anthracite coal	467	2,335
Iron ore	2,022	62,108
Petroleum	874	5,990
Sundries	29,703	5,940,605
Total tons and value	371,069	$28,823,427

STATEMENT *showing the total quantity (in tons of 2,000 pounds) of property cleared at Oswego during the season of 1900, and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	16,842	$272,841
Shingles	565	13,605
Timber	174	2,345
Wood	1,142	1,632
Cheese	15	3,090
Flour	214	8,933
Wheat	485	12,941
Corn	1,404	22,568
Corn meal	2	50
Barley	2,400	60,000
Barley malt	197	8,110
Apples	18	500
Domestic spirits	26	8,063
Furniture	25	12,500
Bran and ship stuffs	3	54
Peas and beans	183	3,665
Castings and iron ware	2	105
Iron and steel	9	370
All other merchandise	1,133	226,450
Stone, lime and clay	4,779	23,898
Anthracite coal	75	375
Sundries	769	153,500
Total tons and value	30,462	$835,595

STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of property left at Oswego during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	1,418	$48,442
Shingles	24	570
Timber	1,060	14,310
Wood	473	676
Bran and ship stuffs	183	3,665
Wheat	483	12,880
Flour	214	8,932
Corn	1,881	30,227
Corn meal	2	50
Barley	6,674	166,861
Apples	18	500
Furniture	5	2,625
Domestic spirits	10	3,125
Domestic salt	189	1,890
Sugar	28	3,080
Bloom iron	2	80
Castings and iron ware	33	1,980
Iron and steel	160	6,370
All other merchandise	2,287	457,368
Stone, lime and clay	5,377	26,826
Anthracite coal	4,742	23,708
Oats	3	54
Sundries	758	151,450
Total tons and value	26,024	$965,669

STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of property cleared on the Black River canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	21,661	$350,906
Timber	1,620	21,870
Wood	15,764	22,520
Bran and ship stuffs	10	200
Apples	7	200
Potatoes	1,561	26,020
All other merchandise	9	1,750
Bituminous coal	24,210	121,050
Sundries	3	500
Total tons and value	64,845	$545,016

STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of property left on the Black River canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	251	$4,058
Shingles	31	729
Timber	240	324
Wood	325	464
Flour	127	5,288
Pork	.....	13
Corn	794	12,760
Corn meal	89	2,038
Oats	132	2,137
Bran and ship stuff	998	19,966
Apples	77	2,174
Domestic spirits	11	3,641
Domestic salt	476	4,762
Sugar	4	440
Railroad iron	3	75
Oil meal and cake	2	80
Flint, enamel, crockery, etc	8	3,625
All other merchandise	505	100,962
Stone, lime and clay	1,039	5,192
Phosphate	20	200
Anthracite coal	3,271	16,359
Bituminous coal	8,127	40,634
Petroleum	7	44
Sundries	112	22,480
Total tons and value	16,649	$248,475

STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of property cleared at Geneva on the Cayuga and Seneca canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Barley	4,631	$115,774
Barley malt	4,185	172,331
Ice	1,853	9,265
Domestic salt	11,995	119,950
All other merchandise	3,988	797,580
Anthracite coal	34,231	171,156
Bituminous coal	64,608	323,040
Sundries	324	51,177
Total tons and value	125,815	$1,760,273

STATEMENT *showing the total quantity (in tons of 2,000 pounds) of property left at Geneva from the Cayuga and Seneca canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	50	$810
Wood	378	540
Corn	3,155	50,712
Barley	20,999	524,977
Barley malt	8,226	338,727
Pig iron	861	12,912
Rye	140	2,500
All other merchandise	4,569	503,909
Stone, lime and clay	4,233	21,163
Anthracite coal	25,186	125,933
Bituminous coal	10,103	50,512
Sundries	422	84,400
Total tons and value	78,322	$1,717,095

STATEMENT *showing the total quantity (in tons of 2,000 pounds) of property arriving at tide-water from the Oswego canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	11,428	$185,126
Shingles	172	4,134
Wheat	485	12,941
Barley	2,400	60,000
Barley malt	197	8,110
Sundries	447	89,400
Total tons and value	15,129	$359,711

STATEMENT *showing the total quantity (in tons of 2,000 pounds) of property arriving at tide-water from the Black River canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	14,057	$227,731
Timber	1,320	17,820
Potatoes	1,612	26,870
Sundries	152	30,420
Total tons and value	17,141	$302,841

ANNUAL STATEMENT *showing the total quantity of shipments of each article first cleared on the canal at and the total quantity of shipments of each article left from the canal at Whitehall from the 25th of April to the 1st of December*, 1900, *going to and coming from Vermont and Canada.*

ARTICLES.	QUANTITY CLEARED.			
	Coming from Canada.	Coming from New York.	Coming from Vermont.	Total cleared.
THE FOREST.				
Product of wood:				
Boards and scantling (feet)	47,657,957	6,521,808	1,544,158	55,723,923
Shingles (M)	200	126	.....	326
Timber (cubic feet)	.....	6,633	.....	6,633
Wood (cords)	.....	1,508	95	1,603
Pulp-wood (pounds)	286,189,000	9,200,800	560,000	295,949,800
AGRICULTURE.				
Vegetable food:				
Oats (bushels)	.....	950	.....	950
Apples (barrels)	.....	777	5,300	6,077
Potatoes (bushels)	.....	114,660	12,600	127,260
Hay (pounds)	39,833,751	7,951,489	4,615,474	52,450,714
MANUFACTURES.				
Pig iron (pounds)	.....	336,000	.....	336,000
Castings and iron ware (pounds)	.....	.....	293,828	293,828

Merchandise.				
Molasses (pounds)	.....	.....	1,500	1,500
Iron and steel (pounds)	.....	66,000	.....	66,000
Railroad iron (pounds)	.....	672,000	.....	672,000
All other merchandise (pounds)	.....	50,000	.....	50,000
Other articles:				
Stone, lime and clay (pounds)	.....	224,000	4,878,640	5,102,640
Iron ore (pounds)	.....	190,008,000	.....	190,008,000
Sundries (pounds)	5,833,185	90,000	762,400	6,685,585

STATEMENT *showing the total quantity of shipments of each article first cleared on the canal, etc.*—(Continued).

ARTICLES.	QUANTITY LEFT.			
	Going to Canada.	Going to New York.	Going to Vermont.	Total left.
THE FOREST.				
Product of wood:				
Boards and scantling (feet)	.....	634,820	91,000	725,820
Wood (cords)	175	.....	.....	175
MANUFACTURES.				
Pig iron (pounds)	1,702,400	250,600	.....	1,953,000
Bloom and bar iron (pounds)	649,600	.....	.....	649,600
Castings and iron ware (pounds)	660,800	169,501	1,200,640	2,030,941
Domestic salt (pounds)	.....	254,700	1,127,325	1,382,025
Foreign salt (pounds)	938,560	.....	631,680	1,570,240
MERCHANDISE.				
Sugar (pounds)	1,798,000	.....	33,600	1,831,600
Iron and steel (pounds)	1,207,320	622,720	309,120	2,139,160
All other merchandise	9,171,953	1,413,520	6,377,209	16,962,682
Other articles:				
Stone, lime and clay (pounds)	35,598,165	1,170,800	8,352,720	45,121,685

Anthracite coal (pounds)	156,018,992	76,092,710	78,548,375	310,660,077
Bituminous coal (pounds)	30,557,160	31,678,550	34,444,880	96,680,590
Iron ore (pounds)	.....	7,383,240	.....	7,383,240
Sundries (pounds)	660,220	.....	123,000	783,220

STATEMENT *showing the total quantity (in tons of* 2,000 *pounds) of property cleared at Whitehall during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	92,873	$1,504,546
Shingles	41	978
Timber	133	1,791
Wood	4,488	6,412
Pulp wood	147,975	517,912
Oats	15	247
Apples	431	12,154
Potatoes	3,818	63,630
Hay	26,225	393,380
Pig iron	168	2,520
Castings and iron ware	147	8,815
Railroad iron	336	10,080
Iron and steel	33	1,320
All other merchandise	25	5,000
Stone, lime and clay	2,551	12,757
Iron ore	95,004	475,020
Sundries	3,344	668,634
Total tons and value	337,607	$3,685,196

STATEMENT *showing the total quantity (in tons of 2,000 pounds) of property left at Whitehall during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	1,210	$19,597
Wood	490	700
Pulp wood	90,859	318,006
Pig iron	977	14,648
Bloom iron	325	12,992
Castings and iron ware	1,015	60,928
Domestic salt	691	6,910
Foreign salt	785	15,702
Sugar	916	100,738
Iron and steel	1,070	42,783
All other merchandise	8,481	1,696,268
Stone, lime and clay	22,561	112,804
Anthracite coal	155,330	776,650
Bituminous coal	48,340	241,701
Iron ore	3,692	18,458
Sundries	392	78,322
Total tons and value	337,134	$3,517,207

PROPERTY (*in tons of* 2,000 *pounds*) *that went to New York from the Oswego canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	4,845	$78,484
Wheat	485	12,941
Shingles	100	2,412
Barley malt	197	8,110
Sundries	447	89,400
Total tons and value	6,074	$191,347

PROPERTY (*in tons of* 2,000 *pounds*) *that went to New York from the Black River canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Boards and scantling	1,812	$29,357
Timber	1,320	17,820
Potatoes	958	15,970
Total tons and value	4,090	$63,147

STATEMENT *showing the total quantity (in tons of 2,000 pounds) of property arriving at tide-water from the Cayuga and Seneca canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Domestic salt	13,702	$137,029
Anthracite coal	399	1,998
Bituminous coal	1,592	7,963
Total tons and value	15,693	$146,990

PROPERTY *that went to New York from the Cayuga and Seneca canal during the season of* 1900, *and the value of the same.*

ARTICLES.	Tons.	Value.
Domestic salt	12,231	$122,319
Anthracite coal	399	1,998
Bituminous coal	1,592	7,963
Total tons and value	14,222	$132,280

The following statement shows the average lake and canal rates on wheat and corn since 1890.

YEAR.	Freight, Buffalo to New York.	Tolls.	Lake freight.
1890.	c. m. fr.	c. m. fr.	c. m. fr.
Wheat, per bushel	3 8 7	Free.	1 9 8
Corn, per bushel	3 3 9	Free.	1 6 9
1891.			
Wheat, per bushel	3 5 3	Free.	.....
Corn, per bushel	3 2 0	Free.	.....
1892.			
Wheat, per bushel	3 4 4	Free.	2 2 1
Corn, per bushel	3 5 5	Free.	1 9 5
1893.			
Wheat, per bushel	4 6 5	.....	1 6 6
Corn, per bushel	4 2 8	.....	1 4 5
1894.			
Wheat, per bushel	3 1 3	.....	1 2 4
Corn, per bushel	2 8 8	.....	1 1 5
1895.			
Wheat, per bushel	2 2 0	.....	1 8 0
Corn, per bushel	1 9 0	.....	1 7 0
1896.			
Wheat, per bushel	3 7 0	.....	1 6 0
Corn, per bushel	3 5 0	.....	1 3 0
1897.			
Wheat, per bushel	1 8 4	.....	1 2 5
Corn, per bushel	2 3 8	.....	1 4 2
1898.			
Wheat, per bushel	2 8 7	.....	1 6 9
Corn, per bushel	2 3 6	.....	1 5 6

Average lake and canal rates on wheat and corn, etc.—(Concluded).

YEAR.	Freight, Buffalo to New York.	Tolls.	Lake freight.
1899.	c. m. fr.	c. m. fr.	c. m. fr.
Wheat, per bushel	2 9 2	.....	2 5 0
Corn, per bushel	2 5 0	.....	2 4 0
1900.			
Wheat, per bushel	2 5 1	.....	1 8 2
Corn, per bushel	2 2 2	.....	1 6 5

Average rate on wheat and corn by lake, from Chicago to Buffalo, during the season of 1900.

	Wheat.	Corn.
May, per bushel	1.8	1.6
June, per bushel	1.9	1.7
July, per bushel	2.1	2.0
August, per bushel	1.6	1.5
September, per bushel	1.7	1.6
October, per bushel	1.7	1.5
November, per bushel	2.0	1.8
	12.8	11.7
	c. m. fr.	c. m. fr.
Average	1 8 2	1 6 5

Average rate on wheat and corn by canal, from Buffalo to New York, during the season of 1900.

	Wheat.	Corn.
May, per bushel	2.4	2.1
June, per bushel	2.2	2.0
July, per bushel	2.3	2.1
August, per bushel	2.3	2.0

	Wheat.	Corn.
September, per bushel	2.2	2.0
October, per bushel	2.7	2.4
November, per bushel	3.5	3.0
	17.6	15.6
	c. m. fr.	c. m. fr.
Average	2 5 1	2 2 2

The following statement shows the number of clearances issued at each office during the season 1900*:*

Albany	1,012
West Troy	5,242
Rome	614
Syracuse	4,727
Rochester	2,501
Tonawanda	1,972
Buffalo	3,430
Waterford	3,306
Whitehall	2,168
Oswego	233
Geneva	865
Boonville	663
Total	26,733

Receipts by all routes at New York, May 1 to November 30, 1900.

	Hudson.	Erie.	Pennsylvania.	D., L. & W.	West Shore.
Flour, barrels	433,188	726,315	789,513	167,776	531,364
Meal, barrels	561	44,488	70,401	.....	.....
Meal, sacks	89,582	45,704	148,288	1,200	.....
Wheat, bushels	10,286,925	2,081,250	374,625	1,220,075	3,771,225
Corn, bushels	8,437,650	3,282,475	79,950	1,750,125	5,954,350
Oats, bushels	6,120,800	3,325,000	250,600	501,200	6,407,800
Barley, bushels	709,500	360,800	1,100	116,600	920,700
Rye, bushels	179,400	3,900	71,175	1,950	392,925
Malt, bushels	775,200	38,400	36,000	51,600	283,200
Peas, bushels	118,250	11,550	550	57,750	7,700
Total grain	26,627,725	9,103,375	814,000	3,699,300	17,737,900
Flour, bushels	1,949,346	3,268,418	3,552,808	754,992	2,391,138
Meal, bushels	181,408	269,360	578,180	2,400	.....
Grand total	28,758,479	12,641,153	4,944,988	4,456,692	20,129,038
Per cent	27.20	11.96	4.68	4.22	19.04

Receipts by all routes at New York, etc.—(Continued).

	L. V. R. R.	B & O. R. R.	Various.	Total rail.
Flour, barrels	1,020,297	276,658	97,288	4,042,399
Meal, barrels	7,870	18,100	414	141,834
Meal, sacks	91,036	17,505	21,585	414,900
Wheat, bushels	1,966,550	49,950	80,475	19,831,075
Corn, bushels	8,221,225	28,275	137,475	27,891,525
Oats, bushels	2,496,200	71,400	28,000	19,201,000
Barley, bushels	652,300	.....	22,000	2,783,000
Rye, bushels	8,775	1,950	7,800	667,875
Malt, bushels	160,800	.....	22,800	1,368,000
Peas, bushels	94,950	.....	.....	290,750
Total grain	13,600,800	151,575	298,550	72,033,225
Flour, bushels	1,591,336	1,244,961	437,796	18,190,795
Meal, bushels	213,552	107,410	44,826	1,397,136
Grand total	18,405,688	1,503,946	781,172	91,621,156
Per cent	17.41	1.42	0.74	86.67

Receipts by all routes at New York, etc.—(Concluded).

	River and coast.	Canal.	Total water.	Total rail and water.
Flour, barrels	58,698	5,357	64,055	4,106,454
Meal, barrels	.....	.....	.....	141,834
Meal, sacks	525	.....	525	415,425
Wheat, bushels	2,434,100	2,350,600	4,784,700	24,615,775
Corn, bushels	1,715	6,172,900	6,174,615	34,066,140
Oats, bushels	.....	1,845,700	1,845,700	21,046,700
Barley, bushels	16,100	610,900	627,000	3,410,000
Rye, bushels	.....	297,000	297,000	964,875
Malt, bushels	.....	74,000	74,000	1,442,000
Peas, bushels	2,200	.....	2,200	292,950
Total grain	2,454,115	11,351,100	13,805,215	85,838,440
Flour, bushels	264,141	24,107	288,248	18,479,043
Meal, bushels	1,050	.....	1,050	1,398,186
Grand total	2,719,306	11,375,207	14,094,513	105,715,669
Per cent	2.57	10.76	13.33	100.00

Receipts by all routes at New York, January 1 to December 31, 1900.

	Hudson.	Erie.	Pennsylvania.	D., L. & W.	West Shore.
Flour, barrels	807,071	1,124,139	1,244,609	254,535	906,889
Meal, barrels	843	75,658	112,120	.....	.....
Meal, sacks	132,637	65,098	230,333	2,450	.....
Wheat, bushels	12,167,700	3,479,825	480,225	2,394,875	4,655,950
Corn, bushels	11,539,125	4,822,000	444,600	2,851,875	8,909,575
Oats, bushels	9,302,800	5,866,900	361,100	2,379,000	8,130,000
Barley, bushels	1,647,225	814,750	144,375	398,400	2,108,575
Rye, bushels	222,600	89,500	91,925	1,950	510,200
Malt, bushels	1,407,600	42,000	128,400	105,600	369,600
Peas, bushels	203,500	25,300	2,200	87,450	8,800
Total grain	36,490,550	15,140,275	1,652,825	8,219,150	24,692,700
Flour, bushels	3,631,819	5,058,626	5,600,740	1,145,408	4,081,001
Meal, bushels	268,646	432,828	909,146	4,900	.....
Grand total	40,391,015	20,631,729	8,162,711	9,369,458	28,773,701
Per cent	25.90	13.23	5.24	6.01	18.45

Receipts by all routes at New York, etc.—(Continued).

	L. V. R. R.	B. & O. R. R.	Various.	Total rail.
Flour, barrels	1,844,407	476,985	158,257	6,816,892
Meal, barrels	9,574	25,720	1,328	225,243
Meal, sacks	136,842	32,359	41,296	641,015
Wheat, bushels	3,167,475	68,450	135,525	26,550,025
Corn, bushels	11,870,650	31,200	405,600	40,874,625
Oats, bushels	4,855,700	72,800	72,700	31,041,000
Barley, bushels	953,775	.....	66,000	6,133,100
Rye, bushels	41,400	1,950	10,200	969,725
Malt, bushels	210,000	.....	25,200	2,288,400
Peas, bushels	147,200	.....	.....	474,450
Total grain	21,246,200	174,400	715,225	108,331,325
Flour, bushels	8,299,831	2,146,432	712,157	30,676,014
Meal, bushels	311,980	167,598	87,904	2,183,002
Grand total	29,858,011	2,488,430	1,515,286	141,190,341
Per cent	19.15	1.60	0.97	90.55

Receipts by all routes at New York, etc.—(Concluded).

	River and coast.	Canal.	Total water.	Total rail and water.
Flour, barrels	73,238	5,357	78,595	6,895,487
Meal, barrels	57	.....	57	225,300
Meal, sacks	925	.....	925	641,940
Wheat, bushels	2,818,100	2,444,700	5,262,800	31,812,825
Corn, bushels	4,260	6,199,100	6,203,360	47,077,985
Oats, bushels	.....	1,896,700	1,896,700	32,937,700
Barley, bushels	29,300	610,900	640,200	6,773,300
Rye, bushels	.....	297,000	297,000	1,266,725
Malt, bushels	.....	74,000	74,000	2,362,400
Peas, bushels	6,300	.....	6,300	480,750
Total grain	2,857,960	11,522,400	14,380,360	122,711,685
Flour, bushels	329,571	24,106	353,677	31,029,691
Meal, bushels	2,078	.....	2,078	2,185,080
Grand total	3,189,609	11,546,506	14,736,115	155,926,456
Per cent	2.05	7.40	9.45	100.00

The following table shows the separate tonnage of the New York Central, the Erie Railway and the canals each year since 1853.

YEARS.	New York Central.	Erie.	Canals.	Total.
1853	360,000	631,039	4,247,853	5,238,892
1854	549,804	743,250	4,165,862	5,458,916
1855	670,073	842,048	4,022,617	5,534,738
1856	776,112	943,215	4,116,084	5,835,409
1857	838,791	978,066	3,344,061	5,160,918
1858	765,407	816,954	3,665,192	5,247,553
1859	834,319	869,073	3,781,684	5,485,076
1860	1,028,183	1,139,554	4,650,214	6,817,951
1861	1,167,302	1,253,418	4,507,635	6,928,355
1862	1,387,433	1,632,955	5,598,785	8,619,173
1863	1,449,604	1,815,096	5,557,692	8,822,392
1864	1,557,148	2,170,798	4,852,941	8,580,887
1865	1,275,299	2,234,350	4,729,654	8,239,303
1866	1,602,197	3,242,792	5,775,220	10,620,209
1867	1,667,926	3,484,546	5,688,325	10,840,797
1868	1,846,599	3,908,243	6,442,225	12,197,067
1869	2,281,885	4,312,209	5,859,080	12,453,174
1870	4,122,000	4,852,505	6,173,769	15,148,274

Separate tonnage of the New York Central, the Erie Railway and the canals, etc.—(Continued).

YEARS.	New York Central.	Erie.	Canals.	Total.
1871	4,532,956	4,844,208	6,467,888	15,844,152
1872	4,393,965	5,564,274	6,673,370	16,631,609
1873	5,522,724	6,312,702	6,364,782	18,200,208
1874	6,114,678	6,364,276	5,804,588	18,283,542
1875	6,001,954	6,239,946	4,859,858	17,101,758
1876	6,803,680	5,972,818	4,172,129	16,948,627
1877	6,351,356	6,182,451	4,955,963	17,489,770
1878	7,695,413	6,150,568	5,171,320	19,017,301
1879	9,015,753	8,212,641	5,362,372	22,590,766
1880	10,533,038	8,715,892	6,457,556	25,706,486
1881	11,591,379	11,086,823	5,179,192	27,857,394
1882	11,330,393	11,895,238	5,467,423	28,693,054
1883	10,892,440	13,610,623	5,664,956	30,168,019
1884	10,212,418	11,071,938	5,009,488	26,293,844
1885	10,733,499	10,253,489	4,731,784	25,718,772
1886	12,636,485	18,668,238	5,293,982	36,598,705
1887	14,531,726	13,949,260	5,553,805	34,034,791
1888	15,162,812	15,174,009	4,942,948	35,279,769
1889	15,011,541	14,084,132	5,370,369	34,466,042

1890	16,108,441	16,269,656	5,246,102	37,624,199
1891	16,621,576	17,339,140	4,563,472	38,524,188
1892	20,721,752	18,334,716	4,281,995	43,338,463
1893	21,312,072	17,309,198	4,331,963	42,953,233
1894	18,728,592	15,305,260	3,882,560	37,916,412
1895	19,741,495	12,928,530	3,500,314	36,170,339
1896	22,123,617	22,562,243	3,714,894	48,400,754
1897	20,649,810	19,443,898	3,617,804	43,711,512
1898	23,403,439	22,547,529	3,360,063	49,311,031
1899	25,356,474	22,660,236	3,686,051	51,702,761
1900	37,586,496	24,501,104	3,345,941	65,433,541

The following table shows the losses or gains in the tonnage of the New York Central, the Erie Railway and the canals each year since 1853, comparison being made with previous year.

YEAR.	N. Y. CENTRAL.		ERIE.		CANALS.	
	Gain.	Loss.	Gain.	Loss.	Gain.	Loss.
1854	189,804	.....	112,211	.....	.....	81,991
1855	120,269	.....	19,798	.....	.....	143,245
1856	106,039	.....	101,167	.....	93,456	.....
1857	62,679	.....	34,851	.....	.....	772,021
1858	.....	73,284	.....	161,112	321,131	.....
1859	68,912	.....	53,119	.....	116,492	.....
1860	193,864	.....	270,481	.....	868,530	.....
1861	139,119	.....	113,864	.....	.....	142,579
1862	220,131	.....	379,537	.....	1,091,150	.....
1863	62,171	.....	182,141	.....	.....	41,093
1864	107,544	.....	355,702	.....	.....	704,751
1865	.....	281,849	63,552	.....	.....	123,287
1866	326,898	.....	1,008,442	.....	1,045,566	.....
1867	65,729	.....	241,754	.....	.....	86,895
1868	178,673	.....	423,697	.....	753,900	.....
1869	435,286	.....	403,966	.....	.....	583,145

1870	1,840,115	.....	540,296	.....	314,689	.....	
1871	410,056	.....	.....	8,297	294,119	.....	
1872	.....	138,091	720,066	.....	205,482	.....	
1873	1,128,759	.....	748,430	.....	.....	308,588	
1874	591,954	.....	51,574	.....	.....	560,194	
1875	.....	112,724	.....	124,330	.....	944,730	
1876	801,726	.....	.....	267,128	.....	687,729	
1877	.....	452,324	209,633	.....	783,834	.....	
1878	1,344,057	.....	.....	31,833	215,357	.....	
1879	1,320,340	.....	2,062,073	.....	191,052	.....	
1880	1,517,285	.....	503,251	.....	1,095,284	.....	
1881	1,058,341	.....	2,370,931	.....	.....	1,278,464	
1882	.....	260,986	808,415	.....	228,231	.....	
1883	.....	437,953	1,715,385	.....	196,633	.....	
1884	.....	680,022	2,608,975	.....	.....	654,568	
1885	521,081	.....	.....	818,449	.....	277,704	
1886	1,902,936	.....	8,414,750	.....	562,198	.....	
1887	1,895,291	.....	.....	4,718,978	259,823	.....	
1888	631,086	.....	1,224,749	.....	.....	610,857	
1889	.....	151,271	.....	89,877	427,421	.....	
1890	1,096,900	.....	1,185,524	.....	.....	124,267	
1891	513,126	.....	1,069,884	.....	.....	682,530	
1892	4,100,176	.....	995,576	.....	.....	281,477	
1893	590,220	.....	.....	1,025,518	49,968	.....	
1894	.....	2,583,480	.....	2,003,938	.....	449,403	
1895	1,012,903	.....	.....	2,376,730	.....	382,246	
1896	2,382,122	.....	9,633,712	.....	214,580	.....	

Table showing the losses or gains in the tonnage of the New York Central, the Erie Railway and the canals, etc.—(Concluded).

YEAR.	N. Y. CENTRAL.		ERIE.		CANALS.	
	Gain.	Loss.	Gain.	Loss.	Gain.	Loss.
1897	.....	1,473,807	.....	3,118,345	.....	97,090
1898	2,753,629	.....	3,103,631	.....	.....	257,741
1899	1,953,035	.....	112,707	.....	325,988	.....
1900	12,230,022	.....	1,840,868	.....	.....	340,110

The total tons coming to tide-water for each of the sixty-three years, and the aggregate value thereof, in market, was as follows:

	Tons.	Value.
1838	640,481	$23,038,510
1839	602,128	20,163,190
1840	699,012	23,213,573
1841	774,334	27,225,322
1842	666,626	22,751,013
1843	836,861	28,453,408
1844	1,019,094	34,183,167
1845	1,204,943	45,452,321
1846	1,362,319	51,105,256
1847	1,744,283	73,092,414
1848	1,447,905	50,883,907
1849	1,579,946	52,375,521
1850	2,033,863	55,474,637
1851	1,977,151	53,927,508
1852	2,234,822	66,893,102
1853	2,505,797	73,688,044
1854	2,223,743	72,120,681
1855	1,890,593	74,177,937
1856	2,123,469	74,286,735
1857	1,617,187	51,190,018
1858	1,985,142	61,536,061
1859	2,121,672	43,175,312
1860	2,854,877	78,798,617
1861	2,980,144	81,432,759
1862	3,402,709	111,176,568
1863	3,274,727	123,173,294
1864	2,805,257	145,609,202
1865	2,730,181	113,865,846
1866	3,305,607	131,801,477
1867	3,029,695	120,902,834
1868	3,240,806	136,446,582
1869	3,096,142	144,866,060
1870	3,156,302	105,517,020
1871	3,494,801	106,874,570
1872	3,647,944	107,086,362
1873	3,376,649	97,869,497
1874	3,123,112	107,976,476
1875	2,608,777	89,447,518
1876	2,426,182	73,893,878

Total tons coming to tide-water, etc.—(Concluded).

	Tons.	Value.
1877	2,986,812	$76,787,713
1878	3,637,101	78,563,710
1879	3,286,176	96,992,498
1880	4,067,402	143,572,991
1881	3,065,839	68,785,451
1882	3,068,152	74,303,139
1883	2,892,176	66,219,034
1884	2,900,788	66,718,124
1885	2,715,219	55,130,473
1886	3,215,177	67,517,864
1887	3,158,923	71,755,221
1888	2,584,661	58,801,038
1889	2,623,836	62,780,410
1890	3,024,765	62,920,266
1891	2,286,855	57,340,280
1892	2,336,519	73,698,295
1893	2,565,845	77,217,815
1894	2,256,895	51,740,449
1895	1,603,745	34,122,010
1896	2,073,378	41,985,498
1897	1,878,218	30,493,208
1898	1,609,472	27,272,655
1899	1,665,217	28,019,204
1900	1,340,631	21,249,492

The tons of the total movement of articles on all the canals, from 1837 to 1900, both years inclusive, were as follows:

YEAR.	Product of the forest.	Agriculture.	Manufactures.	Merchandise.	Other articles.	Total.
1837	618,741	208,043	81,735	94,777	168,000	1,171 296
1838	665,089	255,227	101,526	124,290	186,879	1,333,011
1839	667,581	266,052	111,968	132,286	257,826	1,435,713
1840, Genesee Valley canal opened	587,647	393,780	100,367	112,021	222,231	1,416,046
1841	645,548	391,905	127,896	141,054	215,258	1,521,661
1842	504,597	401,276	98,968	101,446	130,644	1,236,931
1843	687,184	455,797	124,277	119,209	126,972	1,513,439
1844	864,373	509,387	144,245	141,930	156,651	1,816,586
1845	881,774	555,160	160,638	151,450	228,543	1,977,565
1846	916,976	814,258	149,006	169,799	218,623	2,268,662
1847	1,086,056	1,092,946	176,448	224,890	287,812	2,869,810
1848	1,086,080	913,824	202,781	261,458	331,287	2,796,230
1849	1,104,940	1,020,259	203,990	255,455	310,088	2,894,732
1850	1,261,991	965,619	200,218	269,370	379,419	3,076,617
1851	1,393,698	1,125,264	222,529	365,404	475,838	3,582,733
1852	1,586,080	1,213,357	207,955	420,295	435,754	3,863,441

The tons of the total movement of articles on all the canals, etc.—(Continued).

YEAR.	Product of the forest.	Agriculture.	Manufactures.	Merchandise.	Other articles.	Total.
1853	1,821,525	1,150,924	230,036	458,327	587,041	4,247,853
1854	1,768,745	992,839	258,021	406,022	740,235	4,165,862
1855	1,534,934	1,047,344	281,873	374,402	784,064	4,022,617
1856	1,478,664	1,192,673	284,901	370,768	789,076	4,116,082
1857	1,364,002	767,370	232,803	222,954	756,932	3,344,061
1858	1,232,968	1,279,891	295,903	188,441	667,989	3,665,192
1859	1,542,035	816,784	299,421	211,182	912,262	3,781,684
1860	1,509,977	1,682,754	268,759	250,360	938,364	4,650,214
1861	1,052,392	2,144,373	280,256	135,096	895,518	4,507,635
1862	1,569,674	2,494,036	364,877	167,927	1,002,271	5,598,785
1863	1,628,688	2,236,075	319,432	172,278	1,201,219	5,557,692
1864	1,478,921	1,572,836	282,354	143,984	1,374,846	4,852,941
1865	1,467,315	1,696,091	281,832	154,968	1,129,448	4,729,654
1866	1,769,994	1,786,060	302,241	179,878	1,737,047	5,775,220
1867	1,744,252	1,438,517	320,844	319,880	1,964,832	5,688,325
1868	1,958,309	1,442,147	373,262	324,064	2,344,443	6,442,225
1869	1,855,930	1,314,071	342,239	268,970	2,077,870	5,859,080
1870	1,916,511	1,309,153	352,497	271,856	2,323,752	6,173,769

1871	1,941,297	1,863,868	336,288	288,428	2,038,007	6,467,888
1872	1,950,798	1,683,962	325,564	298,758	2,414,288	6,673,370
1873	1,582,072	1,750,418	267,820	172,990	2,591,482	6,364,782
1874	1,482,753	1,772,583	246,697	132,181	2,170,374	5,804,588
1875	1,250,546	1,311,613	275,731	110,141	1,911,827	4,859,858
1876	1,175,313	1,067,497	180,201	64,943	1,684,175	4,172,129
1877	1,312,526	1,522,317	184,218	83,010	1,853,892	4,955,963
1878	1,364,120	1,921,236	220,063	138,064	1,527,837	5,171,320
1879	1,368,849	1,850,347	255,303	237,071	1,650,802	5,362,372
1880	1,566,764	2,408,358	278,114	355,165	1,849,255	6,457,656
1881	1,652,543	1,171,400	250,961	325,775	1,778,513	5,179,192
1882	1,771,743	1,173,257	187,535	283,174	2,051,714	5,467,423
1883	1,828,643	1,394,581	242,649	310,844	1,887,339	5,664,056
1884	1,671,706	1,264,237	205,013	300,480	1,568,052	5,009,488
1885	1,595,632	1,108,711	194,714	220,237	1,612,490	4,731,784
1886	1,523,496	1,537,331	165,760	397,249	1,670,146	5,293,982
1887	1,529,809	1,590,509	212,216	378,734	1,842,537	5,553,805
1888	1,389,728	1,177,587	153,905	206,437	2,015,291	4,942,948
1889	1,567,311	1,330,231	161,074	262,818	2,048,935	5,370,369
1890	1,397,862	1,201,916	139,310	769,672	1,737,342	5,246,102
1891	1,206,986	1,171,192	109,387	250,083	1,825,824	4,563,472
1892	1,249,381	1,038,851	125,781	292,468	1,575,514	4,281,995
1893	1,030,604	1,544,146	66,892	216,013	1,474,308	4,331,963

The tons of the total movement of articles on all the canals, etc.—(Concluded).

YEAR.	Product of the forest.	Agriculture.	Manufactures.	Merchandise.	Other articles.	Total.
1894	872,601	1,412,142	87,241	352,741	1,157,835	3,882,560
1895	974,870	644,009	133,911	251,537	1,495,987	3,500,314
1896	852,467	1,136,665	152,322	270,603	1,302,837	3,714,894
1897	896,971	789,783	152,388	250,872	1,527,790	3,617,804
1898	820,668	707,855	175,632	220,107	1,435,801	3,360,063
1899	838,449	620,908	159,413	260,063	1,807,218	3,686,051
1900	726,984	511,518	142,784	250,436	1,714,219	3,345,941

Total tons of each class of articles which came to the Hudson river from the Erie and Champlain canals, from 1837 *to* 1900, *both inclusive, were as follows:*

YEAR.	Product of the forest.	Agriculture.	Manufactures	Merchandise	Other articles.	Total tons.
1837	385,017	151,469	10,124	394	64,777	611,781
1838	400,877	182,142	8,487	298	48,677	640,481
1839	377,720	163,785	8,565	499	51,559	602,128
1840	321,709	302,356	8,665	104	36,178	669,012
1841	449,095	270,240	17,891	155	36,953	774,334
1842	321,480	293,177	16,015	185	35,769	666,626
1843	416,173	346,140	29,493	201	44,854	836,861
1844	545,202	383,363	39,957	246	62,627	1,031,395
1845	607,930	447,627	49,812	253	99,321	1,204,943
1846	603,010	628,454	46,076	1,797	82,982	1,362,319
1847	666,113	897,717	51,532	4,831	124,090	1,744,283
1848	603,272	685,896	44,867	6,343	107,527	1,447,905
1849	665,547	769,600	44,288	5,873	94,638	1,579,949
1850	947,768	926,048	39,669	7,105	113,273	2,033,863
1851	913,268	891,420	52,302	4,580	115,581	1,977,151
1852	1,064,677	989,268	47,512	10,605	122,760	2,234,822
1853	1,340,261	932,189	52,817	12,633	167,897	2,505,797
1854	1,103,018	846,447	40,082	14,632	219,564	2,223,743
1855	877,805	782,604	44,844	15,559	174,781	1,895,593
1856	858,771	1,023,417	50,454	14,073	176,754	2,123,469
1857	798,986	561,894	55,611	16,987	183,709	1,617,187

Total tons of each class of articles which came to the Hudson river from Erie and Champlain canals, etc.—(Conci'd).

YEAR.	Product of the forest.	Agriculture.	Manufactures.	Merchandise.	Other articles.	Total tons.
1858	817,613	929,789	74,981	15,233	147,526	1,985,142
1859	1,123,607	610,317	63,079	15,804	308,865	2,121,672
1860	1,137,873	1,373,393	66,969	11,235	265,407	2,824,877
1861	690,586	1,934,247	43,074	8,405	303,832	2,980,144
1862	968,062	2,152,159	45,502	5,470	231,516	3,402,709
1863	1,049,559	1,898,253	56,268	5,123	265,524	3,274,727
1864	1,106,148	1,320,562	79,480	3,469	295,598	2,805,257
1865	1,051,616	1,379,331	58,211	4,302	236,721	2,730,181
1866	1,329,884	1,542,035	60,180	6,372	367,136	3,305,607
1867	1,359,287	1,143,712	77,250	5,196	444,250	2,029,695
1868	1,459,353	1,229,554	89,814	5,058	453,370	3,237,149
1869	1,453,419	1,087,105	84,623	4,122	465,873	3,096,142
1870	1,465,517	1,049,586	91,166	12,118	537,915	3,156,302
1871	1,347,979	1,571,754	94,911	7,603	473,554	3,495,801
1872	1,467,865	1,490,248	80,936	7,672	601,223	3,647,944
1873	1,308,471	1,421,469	46,421	12,091	588,197	3,376,649
1874	1,192,681	1,470,872	49,426	12,905	497,228	3,223,112
1875	813,275	1,175,495	70,209	8,341	541,457	2,608,777
1876	890,725	906,483	44,268	4,364	580,342	2,426,182
1877	978,366	1,362,700	53,545	5,341	586,860	2,986,812
1878	1,120,666	1,833,266	56,108	7,367	619,694	3,637,101
1879	1,043,970	1,710,539	46,928	15,299	469,440	3,286,176

1880	1,202,207	2,090,283	39,397	80,264	705,251	4,067,402
1881	1,367,938	1,165,347	53,013	15,466	464,085	3,065,839
1882	1,397,816	1,024,318	61,876	24,154	559,988	3,068,152
1883	1,403,174	1,234,463	47,910	27,798	449,152	3,162,497
1884	1,097,450	1,054,041	56,899	45,538	377,259	2,631,190
1885	1,284,213	949,870	61,912	48,185	371,039	2,715,219
1886	1,202,190	1,400,301	50,704	65,988	495,708	3,215,177
1887	1,206,279	1,412,166	52,566	21,710	466,202	3,158,923
1888	1,074,279	972,746	73,027	20,364	444,245	2,584,661
1889	1,065,747	976,660	75,250	16,428	489,751	2,623,836
1890	1,086,408	901,407	65,098	524,179	447,673	3,024,765
1891	817,228	980,612	51,524	53,924	383,549	2,286,855
1892	997,436	865,958	71,380	53,946	347,799	2,366,519
1893	784,052	1,384,103	37,972	46,526	313,192	2,565,845
1894	676,155	1,189,935	58,646	103,430	228,729	2,256,895
1895	649,605	442,595	96,356	40,306	374,883	1,603,745
1896	603,545	963,253	84,605	35,107	386,868	2,073,378
1897	634,618	633,753	108,871	32,830	486,146	1,878,218
1898	527,830	552,054	94,465	27,239	342,985	1,544,573
1899	584,668	465,266	114,659	17,771	482,853	1,665,217
1900	444,719	369,984	112,960	15,193	397,775	1,340,631

The tonnage of the canals for the season of 1900 was composed of the following described class of articles:

	Tons.
Product of the forest	726,984
Agriculture	511,518
Manufacture	142,784
Merchandise	250,436
Other articles	1,714,219
Total tons	3,345,941

Of this amount:

	Tons.
Erie canal carried	2,145,876
Champlain canal carried	972,867
Black River canal carried	65,330
Cayuga and Seneca canal carried	130,126
Oswego canal carried	31,742
Total tons	3,345,941

Exports of flour, wheat and corn from New York, Baltimore, Philadelphia, Boston, New Orleans and Montreal and the percentage of the exports from each port.

	Flour, barrels.	Wheat, bushels.	Corn, bushels.	Percentage of Total Exports at Places Named.		
				Flour.	Wheat.	Corn.
	1880.	1880.	1880.			
New York	4,215,415	61,909,929	49,875,430	56.2	49.3	43.9
Boston	1,105,473	3,513,817	11,454,256	14.7	02.8	10.0
Philadelphia	288,656	12,342,492	18,172,396	03.8	09.9	16.0
Baltimore	525,985	33,678,376	15,244,895	07.0	26.8	13.4
Montreal	729,007	9,084,266	7,622,161	09.9	07.1	06.8
New Orleans	626,418	5,169,497	11,177,045	08.4	04.1	09.9
Total	7,500,950	125,698,377	113,546,183			
During the year 1880 the canals carried through freight going east	17,166	29,285,366	39,154,785	00.2	23.2	34.4
	1881.	1881.	1881.			
New York	4,507,052	41,788,708	31,614,480	59.9	48.2	42.7
Boston	1,109,583	3,081,232	8,038,627	14.8	03.6	10.8
Philadelphia	190,842	8,860,522	6,799,457	02.5	10.2	09.2

Exports of flour, wheat and corn from New York," etc.—(Continued)

	Flour, barrels.	Wheat, bushels.	Corn, bushels.	Percentage of Total Exports at Places Named.		
				Flour.	Wheat.	Corn.
	1881.	1881.	1881.			
Baltimore	437,701	19,682,935	12,650,303	05.8	22.7	17.2
Montreal	632,821	6,554,622	3,359,084	08.4	07.6	04.5
New Orleans	642,460	6,707,982	11,508,685	08.6	07.7	15.6
Total	7,520,459	86,676,001	73,970,636			
During the year 1881 the canals carried through freight going east	.....	12,146,166	15,056,571	.....	14.0	20.3
	1882.	1882.	1882.			
New York	4,619,499	37,020,103	9,012,373	55.5	50.8	50.7
Boston	1,468,146	2,843,058	2,100,503	17.6	04.0	11.8
Philadelphia	246,147	5,759,947	839,024	02.9	07.9	04.8
Baltimore	490,734	17,465,976	1,126,055	05.9	23.8	06.4

Montreal	775,862	6,913,290	672,850	09.3	09.5	03.7
New Orleans	729,749	2,890,698	4,024,325	08.8	04.0	22.6
Total	8,330,137	72,893,072	17,775,130			
During the year 1882 the canals carried through freight going east	.....	18,901,666	7,270,607	.....	25.9	40.9
	1883.	1883.	1883.			
New York	4,330,146	20,049,200	22,222,754	56.3	43.6	44.5
Boston	1,766,172	694,384	4,634,509	22.9	01.5	09.3
Philadelphia	362,877	4,372,777	5,435,642	4.7	09.5	10.9
Baltimore	441,477	15,245,868	10,012,247	5.7	33.1	20.1
Montreal	776,242	5,008,167	4,530,731	10.1	10.9	9.1
New Orleans	22,061	651,430	3,061,224	.3	1.4	6.1
Total	7,698,975	46,021,826	49,897,107			
During the year 1883 the canals carried through freight going east	.....	16,466,633	16,799,321	.....	35.7	33.6

Exports of flour, wheat and corn from New York, etc.—(Continued).

	Flour, barrels.	Wheat, bushels.	Corn, bushels.	Percentage of Total Exports at Places Named.		
				Flour.	Wheat.	Corn.
	1884.	1884.	1884.			
New York	3,907,021	28,687,362	11,862,158	51.6	49.4	38.5
Boston	2,173,842	1,692,081	4,247,071	28.7	02.9	13.8
Philadelphia	203,460	5,775,658	1,610,392	02.6	09.9	05.2
Baltimore	444,249	16,524,524	5,651,605	05.9	28.4	18.3
Montreal	844,019	3,967,457	3,316,053	11.2	06.9	10.8
New Orleans	Not reported.	1,405,219	4,089,507	.....	0.25	13.4
Total	7,572,591	58,052,301	30,776,786			
During the year 1884 the canals carried through freight going east	213	24,322,200	5,638,357	.....	.....	.....
	1885.	1885.	1885.			
New York	3,763,029	16,286,800	26,259,328	45.7	54.9	43.8
Boston	1,972,326	1,062,293	3,647,244	23.9	3.5	6.1
Philadelphia	695,287	3,369,915	6,028,564	8.4	11.1	10.1

Baltimore	1,093,098	4,575,262	13,752,196	13.3	15.1	22.9
New Orleans	25,158	96,930	7,825,641	0.3	0.3	13.1
Montreal	679,426	4,221,283	2,378,827	8.4	15.1	4.0
Total	8,228,319	29,612,483	59,891,800	100.0	100.0	100.0
During the season of 1885 the canals carried through freight going east	296	16,379,100	10,883,500	.....	55.3	.....
	1890.	1890.	1890.			
New York	3,417,399	12,549,946	24,550,165	.....	.....	.....
Boston	1,289,197	497,889	4,590,085	.....	.....	.....
Philadelphia	844,480	699,274	16,844,797	.....	.....	.....
Baltimore	2,624,282	4,817,614	18,854,951	.....	.....	.....
Montreal	824,952	2,243,666	4,970,236	.....	.....	.....
Total	9,000,210	20,808,389	69,780,234			
	1891.	1891.	1891.			
New York	3,978,076	46,514,096	12,819,911	.....	.....	.....
Boston	1,560,673	2,196,782	3,946,411	.....	.....	.....
Philadelphia	1,156,342	6,876,608	2,782,678	.....	.....	.....

Exports of flour, wheat and corn from New York, etc.—(Continued).

	Flour, barrels.	Wheat, bushels.	Corn, bushels.	Percentage of Total Exports at Places Named.		
				Flour.	Wheat.	Corn.
	1891.	1891.	1891.			
Baltimore	2,703,715	16,073,292	4,096,234	.....	.....	.....
Montreal	795,452	6,230,224	2,252,662	.....	.....	.....
New Orleans	52,015	10,336,496	1,912,173	.....	.....	.....
Total	10,246,273	88,227,498	27,810,069			
	1892.	1892.	1892.			
New York	6,034,260	45,259,966	18,293,353	.....	.....	.....
Boston	2,090,720	6,375,123	2,811,277	.....	.....	.....
Philadelphia	1,843,647	9,994,024	19,454,590	.....	.....	.....
Baltimore	3,661,643	16,661,559	18,995,907	.....	.....	.....
Montreal	601,243	8,379,562	1,763,854	.....	.....	.....
New Orleans	227,432	14,207,443	7,380,678	.....	.....	.....
Total	14,458,925	100,877,677	68,699,659			

	1893.	1893.	1893.			
New York	6,032,903	38,047,932	12,802,039	.....	.....	.....
Boston	1,855,471	3,934,125	5,505,966	.....	.....	.....
Philadelphia	1,376,434	5,657,398	3,985,406	.....	.....	.....
Baltimore	3,331,374	13,048,702	7,486,403	.....	.....	.....
Montreal, to November 1 only	414,522	6,504,176	9,047,524	.....	.....	.....
Total	13,010,704	67,192,333	38,827,338			
	1894.	1894.	1894.			
New York	5,814,657	21,612,790	10,329,787	.....	.....	.....
Boston	1,887,272	3,519,250	3,808,243	.....	.....	.....
Philadelphia	1,106,656	3,792,700	2,408,546	.....	.....	.....
Baltimore	2,725,321	7,875,548	7,064,799	.....	.....	.....
Montreal	654,192	5,502,128	2,104,912	.....	.....	.....
Total	12,188,098	42,302,416	25,716,287			
	1895.	1895.	1895.			
New York	4,009,157	18,348,193	17,891,140	.....	.....	.....
Boston	1,144,006	4,224,773	5,117,436	.....	.....	.....
Philadelphia	848,220	1,521,226	2,624,404	.....	.....	.....
Baltimore	2,315,196	3,880,536	7,252,590	.....	.....	.....
Montreal	1,341,752	3,827,201	2,462,306	.....	.....	.....
Total	9,958,331	31,801,929	35,347,876			

Exports of flour, wheat and corn from New York, etc.—(Concluded).

	Flour, barrels.	Wheat, bushels.	Corn, bushels.	Percentage of Total Exports at Places Named.		
				Flour.	Wheat.	Corn.
	1896.	1896.	1896			
New York	4,817,439	18,476,263	19,160,190	.....	.....	.....
Boston	1,457,526	9,838,955	5,893,209	.....	.....	.....
Philadelphia	654,128	4,863,886	829,376	.....	.....	.....
Baltimore	3,065,845	6,589,856	26,382,182	.....	.....	.....
Montreal	772,126	7,027,058	6,778,896	.....	.....	.....
Total	10,767,064	46,796,018	58,983,853			
	1897.	1897.	1897.			
New York	4,699,767	25,085,896	33,206,509	.....	.....	.....
Boston	1,208,731	9,592,108	9,424,644	.....	.....	.....
Philadelphia	815,181	4,801,606	25,140,487	.....	.....	.....
Baltimore	2,325,803	15,304,039	43,048,008	.....	.....	.....
Montreal	585,813	9,899,308	9,210,222	.....	.....	.....
Total	9,635,295	64,682,957	120,029,870			

	1898.	1898.	1898.	.....	.....	.....
New York	4,738,214	49,909,158	39,632,273	.....	.....	.....
Boston	1,579,687	12,288,150	11,542,828	.....	.....	.....
Philadelphia	1,614,426	5,660,284	29,851,346	.....	.....	.....
Baltimore	2,813,166	18,542,034	45,096,477	.....	.....	.....
Montreal	857,558	8,989,669	19,214,299	.....	.....	.....
Total	11,603,051	95,389,295	145,337,223			
	1899.	1899.	1899.	.....	.....	.....
New York	4,741,035	26,830,386	40,429,477	.....	.....	.....
Boston	1,528,257	11,567,847	17,337,608	.....	.....	.....
Philadelphia	2,101,435	4,013,927	29,458,334	.....	.....	.....
Baltimore	3,367,485	9,549,270	46,786,127	.....	.....	.....
Montreal*	.....	.....	.....	.....	.....	.....
Total	11,738,212	51,961,430	134,011,546			
	1900.	1900.	1900.			
New York	4,487,306	18,259,428	43,532,024	37.24	31.70	26.22
Boston	1,606,175	11,028,357	14,072,326	13.33	19.15	8.47
Philadelphia	2,174,567	5,310,213	33,345,171	18.05	9.22	20.08
Baltimore	3,003,787	4,529,811	40,535,023	24.93	7.87	24.41
New Orleans	374,026	8,059,677	23,403,453	3.10	13.99	14.09
Montreal	403,385	10,408,501	11,168,489	3.35	18.07	6.73
Total	12,049,246	57,595,987	166,056,486	100	100	100

* Not received.

STATEMENT *of lockages during the season of* 1900.

DATE.	ERIE CANAL.				
	Lock No. 1.	Lock No. 2.	Lower side cut.	Upper side cut, river lock,	Upper side cut, upper lock.
April	62	42	11	206	200
May	223	193	68	972	864
June	344	391	52	1,337	1,129
July	311	374	118	1,332	1,160
August	362	410	123	1,418	1,224
September	336	295	75	1,243	1,091
October	407	316	102	1,449	1,310
November	339	315	54	1,327	1,250
December	56	33	9	113	97
Total	2,440	2,369	612	9,397	8,325

Statement of lockages during the season of 1900—(Continued).

DATE.	ERIE CANAL.				
	Lock No. 3.	Lock No. 45.	Lock No. 46.	Lock No. 49.	Lock No 50.
April	196	151	52	37	200
May	805	999	1,204	1,108	1,272
June	1,183	1,279	1,320	1,335	1,162
July	1,068	1,143	1,205	1,443	1,268
August	1,065	1,328	1,443	1,364	1,249
September	840	1,013	1,103	1,139	1,130
October	1,147	1,265	1,287	1,260	1,348
November	1,016	1,127	1,149	1,386	1,482
December	53	173	102	137	95
Total	7,373	8,478	8,865	9,209	9,206

Statement of lockages during the season of 1900—(Continued).

DATE.	ERIE CANAL.				
	Lock No. 66	Combined locks, Lockport.	Tonawanda lock.	Lock No. 72.	Junction lock.
April	109	111	78	103	22
May	1,125	1,244	731	1,062	322
June	1,085	1,231	745	1,130	432
July	1,041	1,219	808	1,040	515
August	1,081	1,157	940	1,064	631
September	969	1,098	712	925	543
October	1,061	1,213	829	1,005	507
November	1,065	1,107	597	922	608
December	68	76	28	78	64
Total	7,604	8,456	5,468	7,329	3,644

Statement of lockages during the season of 1900—(Continued).

DATE.	CHAMPLAIN CANAL.			OSWEGO CANAL.	
	Guard lock.	Ft. Edward lock.	Whitehall lock.	Lock No. 1.	Lock No. 13.
April	.....	31	24	82	10
May	377	788	627	505	68
June	374	662	557	501	85
July	362	822	672	605	93
August	372	846	750	623	118
September	333	760	677	472	90
October	446	813	656	523	115
November	418	831	481	447	81
December	.....	72	57	70	7
Total	2,682	5,625	4,501	3,828	667

Statement of lockages during the season of 1900—(Concluded).

DATE.	BLACK RIVER CANAL.	CAYUGA AND SENECA CANAL.			Caughdenoy lock, Oneida River improvement.
	Lock No. 1.	Montezuma lock.	Waterloo lock.	Mud lock.	
April	.....	18	42	33	6
May	95	150	181	146	56
June	276	279	261	242	91
July	194	253	239	214	108
August	232	297	229	231	68
September	292	276	233	195	50
October	219	340	316	274	15
November	168	306	274	242	17
December	10	.....	.....	.....	.....
Total	1,486	1,919	1,775	1,577	411

STATEMENT *of the tons of property moved on each and all the canals, comprising the tons of total movement.*

YEAR.	Erie.	Champlain.	Oswego.	Cayuga and Seneca.	Chemung.	Crooked Lake.
1837	667,151	261,659	161,353	20,274	20,288	24,258
1838	744,848	266,553	222,697	23,541	30,256	30,336
1839	845,007	263,552	221,014	26,300	36,089	26,823
1840	829,960	245,229	219,627	32,486	34,217	24,026
1841	906,442	276,418	135,689	34,634	63,042	33,030
1842	712,310	230,844	129,498	31,716	54,866	18,660
1843	819,216	262,212	240,571	25,998	66,247	31,856
1844	945,944	269,546	326,607	31,099	88,231	32,589
1845	1,038,700	266,922	340,481	46,464	114,740	39,489
1846	1,264,408	280,480	351,511	61,014	124,768	35,556
1847	1,661,575	313,124	441,096	58,204	189,165	36,318
1848	1,599,965	293,889	490,147	46,252	150,691	34,155
1849	1,622,444	321,345	557,637	40,440	135,867	36,317
1850	1,635,089	460,219	583,346	42,379	128,263	38,797
1851	1,955,265	513,793	676,321	37,084	159,563	29,399
1852	2,129,334	531,001	684,191	47,275	187,577	35,757
1853	2,196,308	608,354	761,276	58,793	249,980	53,985
1854	2,224,008	602,913	611,533	72,995	270,978	25,349
1855	2,202,463	537,108	654,399	76,744	223,271	25,850
1856	2,107,678	611,610	657,381	131,907	245,621	28,559

Statement of the tons of property moved on each and all of the canals, etc.—(Continued).

YEAR.	Erie.	Champlain.	Oswego.	Cayuga and Seneca	Chemung.	Crooked Lake.
1857	1,566,624	547,236	605,218	120,435	187,201	16,571
1858	1,767,004	608,918	688,960	75,968	205,168	16,318
1859	1,753,954	751,046	612,390	80,602	256,323	17,933
1860	2,253,533	681,157	1,080,076	98,678	226,051	14,723
1861	2,500,782	545,930	852,920	100,992	208,792	12,239
1862	3,204,277	647,318	1,063,413	125,659	243,628	19,632
1863	2,955,302	878,920	992,173	119,704	307,151	11,230
1864	2,535,792	846,790	765,079	185,161	280,834	6,316
1865	2,523,490	815,311	825,649	192,312	164,796	9,376
1866	2,896,027	1,001,493	990,809	368,233	226,510	12,189
1867	2,920,578	1,047,440	940,136	389,704	145,627	6,558
1868	3,346,986	1,120,585	958,444	515,295	165,875	4,451
1869	2,845,072	1,059,339	934,638	533,516	245,761	7,541
1870	3,083,132	1,143,719	917,728	527,728	206,535	15,825
1871	3,580,922	1,099,995	941,858	445,186	173,281	12,024
1872	3,562,560	1,449,528	832,490	386,977	217,263	7,145
1873	3,602,535	1,195,390	655,588	437,382	257,962	12,831
1874	3,097,122	1,268,292	665,408	378,825	205,602	9,286
1875	2,787,226	1,077,746	486,530	224,492	129,425	.....
1876	2,418,422	910,151	370,330	137,264	214,448	.....
1877	3,254,367	1,021,782	319,327	247,864	12,026	.....

1878	3,608,634	1,040,912	257,254	168,201	8,767	.....
1879	3,820,027	1,012,005	333,713	117,027	.....	.....
1880	4,608,651	1,200,503	427,863	125,331	.....	.....
1881	3,598,721	986,079	394,542	99,617	.....	.....
1882	3,694,364	1,097,343	445,295	123,488	.....	.....
1883	3,587,102	1,366,358	276,350	134,631	.....	.....
1884	3,389,555	1,118,073	260,541	119,990	.....	.....
1885	3,208,207	1,139,402	213,079	64,125	.....	.....
1886	3,808,642	1,119,663	186,484	64,995	.....	.....
1887	3,840,513	1,229,335	176,177	195,933	.....	.....
1888	3,321,516	1,198,305	134,078	201,237	.....	.....
1889	3,673,554	1,187,038	170,078	196,138	.....	.....
1890	3,303,929	1,520,757	225,936	63,419	.....	.....
1891	3,097,853	1,101,126	161,426	80,954	.....	.....
1892	2,978,832	1,021,139	90,886	75,669	.....	.....
1893	3,235,726	848,965	92,634	38,761	.....	.....
1894	3,144,144	550,279	98,843	33,270	.....	.....
1895	2,356,084	966,335	64,154	49,050	.....	.....
1896	2,742,438	802,519	57,245	54,739	.....	.....
1897	2,584,906	797,637	53,537	110,277	.....	.....
1898	2,338,020	804,076	47,662	100,342	.....	.....
1899	2,419,084	1,034,315	49,373	113,476	.....	.....
1900	2,145,876	972,867	31,742	130,126	.....	.....

Statement of the tons of property moved on each and all of the canals, etc.—(Continued).

YEAR.	Chenango.	Genesee Valley.	Black River.	Oneida Lake.	Baldwinsville.	Total.
1837	8,213	.....	.....	.....	.....	1,171,296
1838	14,778	.....	.....	.....	.....	1,333,011
1839	16,928	.....	.....	.....	.....	1,435,713
1840	16,848	13,653	.....	.....	.....	1,416,046
1841	23,356	26,892	.....	22,150	.....	1,521,661
1842	17,177	41,860	.....	.....	.....	1,236,931
1843	19,026	48,213	.....	26,445	.....	1,513,439
1844	31,472	65,077	.....	25,991	.....	1,816,586
1845	38,305	73,546	.....	28,808	.....	1,977,565
1846	41,112	87,614	.....	22,188	.....	2,268,662
1847	44,051	95,682	.....	30,642	.....	2,869,810
1848	35,207	98,467	.....	47,451	.....	2,796,230
1849	36,557	84,674	.....	59,451	.....	2,894,732
1850	41,892	89,804	.....	56,828	.....	3,076,617
1851	40,307	100,000	25,320	45,049	.....	3,582,733
1852	44,939	122,901	36,597	43,969	.....	3,863,441
1853	76,538	157,164	41,924	43,351	.....	4,247,853
1854	77,124	158,942	55,525	34,532	31,945	4,165,862
1855	89,390	102,321	51,347	27,116	32,608	4,022,617
1856	105,502	113,731	68,126	18,485	27,481	4,116,082

1857	96,722	114.576	69,135	19,343	.....	3,344,061
1858	72,526	118,303	62,352	19,675	.....	3,665,192
1859	89,691	124,263	75,946	19,536	.....	3,781,684
1860	83,035	123,602	70,687	18,672	.....	4,650,214
1861	91,661	94,329	69,930	30,060	.....	4,507,635
1862	79,442	129,974	85,442	.....	.....	5,598,785
1863	90,215	112,549	90,448	.....	.....	5,557,692
1864	89,021	71,411	72,519	.....	.....	4,852,941
1865	68,822	56,581	73,317	.....	.....	4,729,654
1866	107,472	86,579	85,908	.....	.....	5,775,220
1867	103,064	64,679	70,539	.....	.....	5,688,325
1868	112,455	138,364	79,770	.....	.....	6,442,225
1869	83,527	69,141	80,550	.....	.....	5,859,080
1870	102,820	79,733	96,329	.....	.....	6,173,769
1871	39,793	85,269	89,560	.....	.....	6,467,888
1872	26,519	96,113	94,776	.....	.....	6,673,370
1873	30,317	86,770	86,017	.....	.....	6,364,782
1874	33,079	69,293	77,601	.....	.....	5,804,588
1875	23,769	64,677	65,993	.....	.....	4,859,858
1876	6,227	47,360	67,927	.....	.....	4,172,129
1877	.....	37,311	63,286	.....	.....	4,955,963
1878	.....	18,569	68,983	.....	.....	5,171,320
1879	.....	.....	79,600	.....	.....	5,362,372
1880	.....	.....	75,308	.....	.....	6,457,656

Statement of the tons of property moved on each and all of the canals, etc.—(Concluded).

YEAR.	Chenango.	Genesee Valley.	Black River.	Oneida Lake.	Baldwinsville.	Total.
1881	.....	.....	100,233	.....	.....	5,179,192
1882	.....	.....	106,933	.....	.....	5,467,423
1883	.....	.....	128,656	.....	.....	5,664,056
1884	.....	.....	116,359	.....	.....	5,009,488
1885	.....	.....	106,971	.....	.....	4,731,784
1886	.....	.....	114,198	.....	.....	5,293,982
1887	.....	.....	111,847	.....	.....	5,553,805
1888	.....	.....	118,213	.....	.....	4,942,948
1889	.....	.....	143,561	.....	.....	5,370,369
1890	.....	.....	132,061	.....	.....	5,246,102
1891	.....	.....	122,111	.....	.....	4,563,472
1892	.....	.....	115,469	.....	.....	4,281,995
1893	.....	.....	115,877	.....	.....	4,331,963
1894	.....	.....	56,024	.....	.....	3,882,560
1895	.....	.....	64,691	.....	.....	3,500,314
1896	.....	.....	57,953	.....	.....	3,714,894
1897	.....	.....	71,447	.....	.....	3,617,804
1898	.....	.....	69,963	.....	.....	3,360,063
1899	.....	.....	69,803	.....	.....	3,686,051
1900	.....	.....	65,330	.....	.....	3,345,941

TOTAL VALUE *of articles moved on all the canals from* 1837 *to* 1900, *both years inclusive, was as follows:*

YEAR.	Product of the forest.	Agriculture.	Manufactures.	Merchandise.	Other articles.	Total.
1837	$6,146,716	$16,201,331	$6,390,486	$23,935,990	$3,134,766	$55,806,283
1838	6,338,063	19,390,714	5,915,856	31,594,692	2,507,234	65,746,559
1839	7,762,553	17,056,911	5,989,576	39,493,764	3,096,960	73,399,764
1840 (Gen. Val. canal opened)	4,609,035	19,644,481	4,719,054	35,636,943	2,694,379	66,303,892
1841	11,841,103	21,901,713	5,422,615	50,134,320	2,993,178	92,202,929
1842	5,957,219	16,987,843	4,435,289	30,042,153	2,594,104	60,016,608
1843	6,653,080	20,588,118	4,925,545	40,651,798	3,458,368	76,276,909
1844	7,422,737	23,379,643	6,151,806	49,224,099	4,742,867	90,921,152
1845	6,472,237	25,479,488	6,994,932	52,542,336	5,140,866	100,629,859
1846	6,422,409	35,820,586	7,015,311	62,004,488	4,349,315	115,612,109
1847	7,546,063	55,757,166	8,072,059	74,753,638	5,434,502	151,563,428
1848	7,219,350	42,850,086	7,433,957	76,945,463	5,637,301	140,086,157
1849	8,671,057	46,408,092	7,183,930	77,094,282	5,374,924	144,732,285
1850	15,117,661	46,152,958	7,933,108	81,135,199	6,059,003	156,397,929
1851	12,549,754	43,277,458	8,255,575	88,531,320	7,367,694	159,981,801
1852	11,526,436	49,437,555	6,294,120	122,624,170	6,721,236	196,603,517
1853	14,001,506	57,482,815	8,091,100	118,317,856	9,286,293	207,179,570
1854	14,384,785	51,980,864	9,796,420	123,167,863	10,954,380	210,284,312
1855	10,545,615	58,222,314	10,467,559	113,572,523	11,582,136	204,390,147
1856	10,211,383	51,030,453	10,308,419	135,691,816	11,084,991	218,327,062
1857	9,827,410	30,955,369	9,330,067	74,633,905	12,250,267	136,997,018

Total value of articles moved on all the canals from 1837 *to* 1900, *etc.*—(Concluded).

YEAR.	Products of the forest.	Agriculture.	Manufactures.	Merchandise.	Other articles.	Total.
1858	$8,963,443	$50,142,318	$9,352,955	$61,236,319	$8,873,809	$138,568,844
1859	10,798,769	34,044,601	8,757,059	65,072,972	13,487,357	132,160,758
1860	10,654,710	55,838,977	8,113,177	84,252,425	11,989,909	170,849,198
1861	6,462,614	57,861,720	6,718,273	49,707,729	9,365,557	130,115,893
1862	11,305,954	84,239,870	12,314,651	83,640,903	11,733,453	203,234,331
1863	13,421,909	101,090,511	13,044,051	91,417,513	21,072,477	240,046,461
1864	22,589,060	116,051,564	22,582,718	80,391,550	32,785,747	274,400,639
1865	21,011,122	83,670,467	18,095,266	102,627,877	30,832,372	256,237,104
1866	28,754,821	86,610,934	18,389,992	100,169,211	37,038,718	270,963,676
1867	28,997,470	81,616,663	16,877,334	108,545,569	42,939,676	278,956,712
1868	24,039,591	76,383,656	17,298,574	131,786,764	55,793,344	305,301,920
1869	21,930,655	55,528,825	13,595,892	103,464,505	54,761,407	249,281,284
1870	22,266,184	49,231,912	10,777,897	94,852,911	54,707,269	231,836,176
1871	27,309,303	68,130,282	10,881,540	78,898,185	53,548,381	238,767,691
1872	35,599,734	49,541,259	7,659,547	93,997,415	34,115,366	220,913,321
1873	18,651,838	60,194,909	5,979,656	76,173,336	30,715,761	191,715,500
1874	17,840,356	64,344,898	7,094,[illegible]31	64,477,540	42,916,997	196,674,322
1875	12,478,669	50,540,911	6,311,137	40,885,448	34,792,410	145,008,575
1876	11,132,966	32,439,857	3,375,119	31,069,375	35,073,062	113,090,379
1877	15,574,893	46,765,635	10,911,786	46,130,795	21,028,903	139,411,963
1878	12,703,074	52,264,813	17,834,755	70,433,563	29,021,323	182,254,528

1879	12,053,499	56,826,653	37,173,222	144,653,500	34,573,762	285,280,726
1880	14,351,622	68,994,218	14,236,227	109,870,264	40,392,459	247,844,790
1881	18,399,932	43,440,343	11,863,021	75,331,308	13,148,961	162,153,565
1882	20,285,512	42,766,687	4,673,440	61,769,417	18,428,851	147,918,907
1883	18,038,056	39,727,973	3,426,474	68,281,320	18,387,400	147,861,223
1884	27,588,279	37,335,779	3,125,433	78,864,806	15,182,754	162,097,069
1885	17,302,705	31,404,325	2,827,280	58,215,252	9,786,627	119,536,189
1886	16,471,406	41,191,562	3,310,422	103,749,354	15,339,102	180,061,846
1887	15,568,667	42,729,684	4,808,178	82,161,364	13,978,084	159,245,977
1888	14,899,643	33,546,141	3,207,881	56,913,813	13,957,257	122,524,735
1889	17,012,190	30,014,906	5,908,500	80,590,288	21,058,338	154,584,222
1890	21,888,280	32,690,782	1,879,276	73,838,260	15,464,488	145,761,086
1891	17,923,469	38,566,171	1,147,639	47,008,795	11,623,269	116,269,343
1892	18,571,008	35,127,543	1,491,611	100,701,774	11,705,012	167,596,948
1893	14,421,877	50,483,054	853,407	75,474,765	13,597,991	154,831,094
1894	12,706,519	35,849,109	933,886	78,405,074	13,284,972	141,179,560
1895	14,504,441	17,185,539	2,489,514	38,648,131	24,625,396	97,453,021
1896	11,838,186	27,268,642	2,494,727	37,512,064	20,925,959	100,039,578
1897	11,780,232	16,722,091	1,932,216	42,299,589	23,329,210	96,063,338
1898	11,489,502	15,005,458	1,369,262	36,386,337	23,871,795	88,122,354
1899	14,312,288	13,428,551	1,555,810	40,752,834	22,737,229	92,786,712
1900	9,161,366	11,051,632	2,073,468	42,819,110	19,018,196	84,123,772

STATEMENT *of total movement of flour, meal and grain on all the canals from* 1861 *to* 1900, *both inclusive.*

YEAR.	Barrels wheat flour.	Barrels corn meal.	Bushels wheat.	Bushels corn.	Bushels oats.
1861	1,667,416	2,176	33,171,900	25,024,643	6,105,313
1862	2,102,574	18,416	37,579,967	27,225,643	6,550,187
1863	1,930,731	44,704	26,577,166	22,287,036	16,040,937
1864	1,474,582	51,305	19,932,067	11,086,536	15,122,937
1865	1,271,129	24,018	14,433,566	20,689,500	11,973,939
1866	751,870	27,972	10,989,800	28,904,143	12,138,250
1867	569,234	12,808	13,630,300	17,930,500	10,476,000
1868	575,900	14,861	14,425,567	18,437,100	11,927,250
1869	657,870	12,666	22,351,133	9,159,643	5,769,312
1870	509,055	22,250	21,950,800	6,893,893	7,371,312
1871	381,583	6,611	23,951,633	24,002,035	8,118,187
1872	190,129	6,046	13,463,433	32,241,179	5,809,938
1873	181,731	9,342	26,768,800	22,760,571	4,376,437
1874	269,759	8,314	25,738,766	18,542,964	3,713,000
1875	163,287	3,000	24,809,766	10,072,536	3,919,813
1876	86,019	2,232	13,879,200	13,044,786	3,259,188
1877	82,621	3,120	14,934,766	25,837,786	4,127,812
1878	54,666	5,666	28,151,866	26,249,750	5,314,313
1879	66,333	8,130	31,648,866	22,185,000	1,447,750
1880	76,537	12,620	32,201,733	41,307,821	1,305,812
1881	64,129	13,370	14,827,733	16,993,679	1,895,063

1882	86,777	17,370	21,407,196	8,988,821	1,386,250
1883	83,768	1,777	19,124,666	18,677,785	3,225,438
1884	67,138	343	26,346,966	7,079,143	3,293,500
1885	63,602	703	18,864,066	12,866,500	514,625
1886	83,296	5,435	33,270,966	12,670,178	454,875
1887	37,861	65	31,228,000	15,950,607	2,210,312
1888	30,463	2,629	19,373,366	17,846,464	4,445,562
1889	40,555	1,713	16,137,900	21,162,536	3,980,000
1890	32,046	10,740	11,789,700	21,998,000	2,961,437
1891	28,900	.....	25,203,366	5,076,464	1,022,625
1892	45,176	38,000	20,690,933	5,366,750	4,527,750
1893	22,574	1,222	36,446,600	8,912,965	1,498,375
1894	27,147	978	30,116,266	9,942,035	6,302,937
1895	20,333	74	9,345,500	3,495,857	5,892,437
1896	73,741	3,639	13,629,033	3,641,821	12,357,187
1897	29,685	1,481	6,001,166	11,170,572	3,146,562
1898	17,166	435	2,332,866	13,008,857	4,765,250
1899	11,546	287	9,414,066	3,309,643	5,858,312
1900	10,866	818	4,610,083	6,751,670	2,277,258

Statement of total movement of flour, meal and grain on all the canals, etc.—(Concluded).

YEAR.	Bushels barley.	Bushels rye.	Bushels peas and beans.	Bushels malt.	Aggregate in tons.
1861	2,444,083	976,000	347,233	.....	2,070,251
1862	2,764,916	967,750	375,433	280,182	2,332,928
1863	3,816,458	592,571	530,700	366,242	2,021,505
1864	3,232,292	670,168	550,000	565,294	1,437,598
1865	5,336,416	1,220,714	401,533	725,151	1,530,037
1866	7,867,041	1,751,928	536,667	298,212	1,680,169
1867	4,972,250	1,044,643	827,133	489,818	1,322,774
1868	3,698,083	873,357	391,667	257,029	1,350,090
1869	4,125,500	481,750	379,233	330,400	1,221,397
1870	5,132,958	697,143	226,123	698,686	1,189,267
1871	4,749,662	1,234,392	162,700	801,371	1,759,882
1872	5,002,543	477,036	146,600	1,578,914	1,586,249
1873	2,941,083	1,077,143	393,300	1,182,466	1,660,981
1874	4,110,584	293,393	200,567	453,200	1,500,490
1875	4,353,125	296,750	195,200	71,287	1,238,115
1876	4,020,584	712,464	174,200	1,510,629	991,197
1877	5,810,542	1,283,857	162,533	718,800	1,439,662
1878	3,730,583	2,307,607	167,100	1,031,000	1,846,749
1879	4,006,000	2,114,643	124,466	582,706	1,770,846
1880	4,426,958	940,714	149,369	820,824	2,304,215
1881	3,399,458	553,000	101,334	887,526	1,074,545

1882	4,027,083	1,549,000	206,834	846,824	1,087,953
1883	2,449,291	3,401,643	43,666	952,706	1,329,099
1884	2,708,666	2,552,214	185,735	707,235	1,198,346
1885	2,691,135	364,678	70,000	604,706	1,028,260
1886	2,619,916	108,750	151,366	901,941	1,446,973
1887	3,144,083	239,892	14,133	781,588	1,498,304
1888	873,208	438,143	64,000	940,176	1,116,733
1889	2,754,541	1,289,357	694,333	1,640,588	1,277,118
1890	3,268,321	800,500	66,833	1,201,058	1,158,029
1891	2,995,958	2,456,107	87,996	662,325	1,072,375
1892	2,149,833	151,285	20,633	816,650	992,798
1893	2,207,250	232,785	42,933	309,118	1,435,540
1894	3,720,625	18,946	33,366	388,058	1,388,859
1895	3,255,458	7,322	15,766	166,000	583,752
1896	4,581,917	2,757,500	12,500	682,764	916,072
1897	4,180,708	2,370,964	10,733	1,037,941	731,213
1898	3,746,083	276,607	4,100	1,565,941	636,774
1899	3,276,125	211,821	800	473,823	562,740
1900	2,633,480	374,224	154	533,636	447,768

STATEMENT *of foreign exports of flour and grain from New York from* 1861 *to* 1900.

YEAR.	Barrels wheat flour.	Barrels rye flour.	Barrels corn meal.	Bushels wheat.	Bushels corn.	Bushels oats.
1861	3,110,646	11,807	108,385	28,889,914	12,456,265	160,875
1862	2,961,518	8,397	132,606	25,564,755	12,020,848	210,669
1863	2,527,338	5,461	140,561	15,424,889	7,533,431	126,566
1864	1,918,393	2,840	105,142	12,193,433	846,831	42,135
1865	1,402,144	2,673	127,600	2,527,626	2,549,670	94,567
1866	900,084	7,552	149,773	522,669	11,079,394	1,190,583
1867	871,089	11,754	151,669	4,468,774	8,147,813	144,665
1868	1,003,968	7,459	191,011	5,762,037	5,989,225	94,707
1869	1,584,211	5,283	137,627	18,240,586	1,637,586	49,393
1870	1,950,234	.....	.....	18,446,035	487,792	28,986
1871	1,660,400	4,200	123,500	21,968,600	13,040,600	47,300
1872	1,216,082	6,399	194,040	13,144,400	25,292,200	31,739
1873	1,655,331	8,249	176,756	27,801,800	15,587,500	49,700
1874	1,177,608	8,473	168,603	34,791,249	19,000,995	122,528
1875	1,954,100	5,700	173,400	26,192,700	12,938,700	138,800
1876	1,887,441	5,778	172,042	24,144,033	16,610,232	620,536
1877	1,537,106	7,999	220,939	21,355,774	25,373,942	257,634
1878	2,630,437	4,375	202,788	55,019,389	27,440,771	3,658,905
1879	3,684,366	6,049	150,178	61,538,861	35,319,789	521,496
1880	4,215,415	5,205	203,716	61,908,029	49,875,430	427,959
1881	4,440,114	3,264	196,985	41,788,182	31,731,995	431,426

1882	4,623,956	.....	112,316	37,620,153	9,012,373	170,586
1883	4,330,146	.....	.....	20,049,200	22,222,754	162,665
1884	3,907,021	.....	530	28,687,362	11,862,158	2,456,219
1885	3,763,029	3,863	152,488	16,286,800	26,259,228	6,198,302
1886, not reported	.....	.....	.....	.....	.....	.....
1887, to December 1	3,731,523	.....	105,735	40,893,437	11,920,425	142,938
1888, to December 1	3,476,991	.....	107,589	12,224,374	12,101,098	112,069
1889, to December 1	3,056,855	.....	135,006	9,627,444	27,380,443	885,257
1890	3,417,399	.....	136,432	12,549,946	24,550,165	9,301,046
1891	3,798,076	.....	160,533	46,514,096	12,819,911	3,205,466
1892	6,034,260	.....	163,765	45,259,966	18,293,353	2,650,639
1893	6,032,903	114	159,149	38,017,932	12,802,039	5,197,007
1894, to December 1	5,814,657	.....	178,346	21,612,790	10,329,787	219,844
1895, to December 1	4,009,157	.....	144,631	18,348,193	17,891,140	1,302,900
1896, to December 1	4,264,302	.....	140,449	16,864,330	16,845,658	14,794,568
1897	4,699,767	.....	272,975	25,085,896	33,206,509	34,714,008
1898	4,738,214	.....	366,663	49,909,158	39,632,273	23,765,046
1899	4,741,035	.....	409,691	26,830,386	40,429,477	12,943,153
1900	4,487,306	.....	444,943	18,259,428	43,532,624	8,819,444

Statement of foreign exports of flour and grain, etc.—(Concluded).

YEAR.	Bushels barley.	Bushels rye.	Bushels peas and beans.	Bushels malt.	Aggregate in tons.
1861	3,927	1,000,405	139,284	.....	1,599,261
1862	42,061	1,104,549	113,819	.....	1,477,221
1863	52,439	416,369	110,911	.....	980,675
1864	150	588	186,154	.....	614,642
1865	.....	198,348	88,899	.....	322,451
1866	1,329,842	248,646	282,992	.....	506,520
1867	886,893	473,260	680,763	.....	531,204
1868	90	152,993	189,226	.....	481,902
1869	.....	142,542	123,156	.....	788,075
1870	.....	92,431	151,102	.....	785,249
1871	98,700	525,800	90,900	.....	1,238,053
1872	22,066	668,030	156,609	.....	1,378,412
1873	19,400	1,069,100	143,500	.....	1,504,771
1874	3,560	641,661	463,193	.....	1,863,297
1875	1,500	206,900	364,900	.....	1,405,544
1876	88,097	1,336,283	716,428	.....	1,483,402
1877	2,412,509	2,049,796	487,031	.....	1,675,902
1878	1,518,922	4,048,841	476,184	.....	2,949,042
1879	147,867	3,941,638	393,153	.....	3,383,953
1880	254,833	2,181,183	651,669	.....	3,825,168
1881	15,477	1,068,928	218,370	.....	2,687,356

1882	6,616	1,980,586	572,567	.....	1,967,989
1883	8,939	4,467,853	.....	.....	1,819,284
1884	76,343	4,846,088	770,729	.....	1,413,686
1885	408	493,319	.....	.....	1,759,840
1886, not reported	.....	.....	.....	.....	.....
1887, to December 1st	46,189	356,817	185,877	.....	2,193,962
1888, to December 1st	48	6,237	182,511	.....	1,098,641
1889, to December 1st	226	809,405	244,246	.....	1,440,719
1890	275,313	1,351,726	371,814	.....	1,652,144
1891	1,869,569	4,448,675	668,069	.....	2,421,816
1892	235,206	3,254,849	663,927	.....	2,698,507
1893	257,744	439,459	473,796	.....	2,282,685
1894, to December 1st	300	208	.....	.....	1,581,391
1895, to December 1st	42,743	246	.....	.....	1,521,886
1896, to December 1st	6,162,012	3,208,448	.....	.....	2,027,759
1897	8,916,452	5,797,517	.....	.....	3,151,164
1898	2,451,271	8,307,944	1,151,811	.....	3,864,551
1899	7,619,862	2,745,970	.....	.....	2,960,070
1900	4,833,493	1,479,380	.....	.....	3,597,900

Total tonnage of all the property on the canals, ascending and descending, and the value for the sixty-three years preceding, is as follows:

YEAR.	Tons.	Value.
1837	1,171,296	$55,809,288
1838	1,333,011	65,746,559
1839	1,435,713	73,399,764
1840	1,416,046	66,303,892
1841	1,521,661	92,202,929
1842	1,236,931	60,016,608
1843	1,513,439	76,276,909
1844	1,816,586	90,921,152
1845	1,977,565	100,629,859
1846	2,268,662	115,612,109
1847	2,869,810	151,563,428
1848	2,796,230	140,086,157
1849	2,894,732	144,732,285
1850	3,076,617	156,397,929
1851	2,582,733	159,981,801
1852	3,863,441	196,603,517
1853	4,247,853	207,179,570
1854	4,165,862	210,284,312
1855	4,022,617	204,390,147
1856	4,116,082	218,327,062
1857	3,344,061	136,997,018
1858	3,665,192	138,568,844
1859	3,781,684	132,160,758
1860	4,650,214	170,849,198
1861	4,507,635	130,115,893
1862	5,598,785	203,234,331
1863	5,557,692	240,046,461
1864	4,852,941	274,400,639
1865	4,729,654	256,237,104
1866	5,775,220	270,963,676
1867	5,688,325	278,956,712
1868	6,442,225	305,301,929
1869	5,859,080	249,281,284
1870	6,173,769	231,836,176
1871	6,467,888	238,767,691
1872	6,673,370	220,913,321
1873	6,364,782	191,715,500
1874	5,804,588	196,674,322

Total tonnage of all property on the canals, etc.—(Concluded).

YEAR.	Tons.	Value.
1875	4,859,958	$145,008,575
1876	4,172,129	113,090,379
1877	4,955,963	128,923,890
1878	5,171,320	182,254,528
1879	5,362,372	285,280,726
1880	6,457,656	247,844,790
1881	5,179,192	162,153,565
1882	5,467,423	147,918,907
1883	5,664,056	147,861,223
1884	5,009,488	162,097,069
1885	4,731,784	119,536,189
1886	5,293,982	480,061,846
1887	5,553,805	159,245,977
1888	4,942,948	122,524,735
1889	5,370,369	154,584,222
1890	5,246,102	145,761,086
1891	4,563,472	116,269,343
1892	4,281,995	167,596,948
1893	4,331,963	154,831,094
1894	3,882,560	141,179,560
1895	3,500,314	97,453,021
1896	3,714,894	100,039,578
1897	3,617,804	96,063,338
1898	3,360,063	88,122,354
1899	3,686,051	92,786,712
1900	3,345,941	84,123,772

Equalized value of the real and personal property in the State subject to taxation for the year 1901, *and the amount each county will be required to pay for the purpose of redeeming bonds issued under provisions of chapter* 79, *Laws of* 1895, *appropriating nine million dollars for canal improvements.*

	Value.	Tax.
Albany	$91,563,298	$11,903 22
Allegany	15,230,372	1,979 95
Broome	33,463,302	4,350 23
Cattaraugus	23,040,208	2,995 23
Cayuga	32,226,962	4,189 50
Chautauqua	30,894,808	4,016 32
Chemung	24,790,149	3,222 72
Chenango	16,422,114	2,134 87
Clinton	9,013,307	1,171 73
Columbia	23,058,958	2,997 66
Cortland	12,187,906	1,584 43
Delaware	14,125,394	1,836 30
Dutchess	46,190,280	6,004 73
Erie	289,065,354	37,578 50
Essex	9,599,158	1,247 89
Franklin	10,566,692	1,373 67
Fulton	13,670,970	1,777 23
Genesee	22,838,106	2,968 95
Greene	13,232,648	1,720 24
Hamilton	2,582,468	335 72
Herkimer	21,049,704	2,736 46
Jefferson	31,820,333	4,136 64
Kings	677,165,577	88,031 53
Lewis	9,249,681	1,202 46
Livingston	26,472,998	3,441 49
Madison	20,796,135	2,703 50
Monroe	130,909,015	17,018 18
Montgomery	27,259,191	3,543 69
Nassau	24,602,319	3,198 30
New York	2,711,824,407	352,537 17
Niagara	38,443,638	4,997 67
Oneida	62,824,050	8,167 13
Onondaga	100,374,556	13,048 69
Ontario	28,153,055	3,659 90
Orange	41,949,037	5,453 37

Equalized value of real and personal property, etc.—(Concluded).

	Value.	Tax.
Orleans	$15,011,849	$1,951 54
Oswego	26,458,502	3,439 61
Otsego	21,693,523	2,820 16
Putnam	7,599,828	987 98
Queens	96,382,207	12,529 69
Rensselaer	72,141,718	9,378 42
Richmond	46,593,340	6,057 14
Rockland	15,615,953	2,030 08
St. Lawrence	32,785,297	4,262 09
Saratoga	25,538,171	3,319 96
Schenectady	18,330,792	2,383 00
Schoharie	11,249,894	1,462 49
Schuyler	6,606,573	858 86
Seneca	14,767,108	1,919 72
Steuben	30,970,511	4,026 17
Suffolk	42,661,661	5,546 02
Sullivan	5,608,498	729 10
Tioga	12,967,105	1,685 72
Tompkins	16,364,112	2,127 33
Ulster	27,779,158	3,611.29
Warren	7,640,473	993 26
Washington	18,400,143	2,392 02
Wayne	25,307,521	3,289 98
Westchester	150,514,259	19,566 85
Wyoming	14,976,811	1,946 99
Yates	10,681,595	1,388 61
Total valuation and tax	$5,461,302,752	$709,969 35

Total grain received at Buffalo each year since 1836, *and total grain, including flour, received each year.*

YEAR.	Grain, bushels.	Grain, including flour, bushels.
1836	543,461	1,239,351
1837	550,560	1,184,685
1838	974,751	2,302,887
1839	1,117,262	2,302,851
1840	1,075,885	4,061,598
1841	1,852,325	5,692,525
1842	2,015,928	5,687,468
1843	2,055,025	6,642,610
1844	2,335,568	6,910,719
1845	1,848,040	5,581,790
1846	6,491,522	13,366,167
1847	8,868,187	19,153,187
1848	7,396,012	14,641,018
1849	8,628,013	14,665,189
1850	6,618,004	12,059,551
1851	11,449,661	17,740,784
1852	13,392,937	20,390,500
1853	11,078,741	15,956,525
1854	18,553,455	22,252,288
1855	19,788,473	24,472,277
1856	20,123,667	25,753,965
1857	15,348,930	19,578,690
1858	20,202,444	26,812,982
1859	14,429,069	21,530,722
1860	31,441,440	37,053,115
1861	50,062,646	61,460,601
1862	58,642,344	72,872,454
1863	49,845,065	64,735,510
1864	41,044,498	51,177,146
1865	42,473,223	51,415,188
1866	51,820,342	57,388,087
1867	43,499,780	59,700,060
1868	42,436,201	49,949,856
1869	37,014,728	45,007,163
1870	39,261,141	46,013,096
1871	60,765,357	67,155,742
1872	58,447,822	62,260,232
1873	67,340,570	73,636,595

Total grain received at Buffalo each year, etc.—(Concluded).

YEAR.	Grain, bushels.	Grain, including flour, bushels.
1874	61,562,627	70,030,552
1875	65,194,716	74,246,726
1876	46,038,598	50,074,648
1877	61,734,071	66,199,291
1878	79,176,152	84,046,052
1879	74,379,829	78,865,354
1880	105,453,372	112,042,927
1881	56,806,545	62,062,895
1882	50,833,590	56,830,340
1883	65,722,080	76,079,930
1884	56,963,970	70,041,520
1885	49,740,060	64,260,460
1886	72,514,840	95,425,790
1887	84,730,910	104,737,710
1888	73,223,500	99,448,150
1889	90,869,880	118,273,430
1890	89,312,800	120,540,700
1891	128,993,020	164,459,720
1892	133,039,090	181,769,690
1893	135,919,920	188,730,370
1894	103,959,165	161,401,815
1895	118,027,930	162,936,630
1896	163,431,814	214,352,734
1897	185,443,816	242,140,306
1898	221,383,945	273,242,210
1899	153,393,184	194,293,112
1900	157,655,969	209,239,824

The following statement shows the receipts of flour, wheat and corn at Buffalo by lake for sixty-five years.

YEAR.	Flour, barrels.	Wheat, bushels.	Corn, bushels.
1836	139,178	304,990	204,355
1837	126,805	450,359	94,490
1838	277,620	933,117	34,148
1839	294,125	1,117,262	.....
1840	597,142	1,004,561	71,337
1841	730,040	1,635,000	201,031
1842	734,408	1,555,420	453,520
1843	917,517	1,827,241	223,966
1844	915,030	2,174,500	137,978
1845	746,750	1,770,740	54,200
1846	1,374,529	4,744,184	1,455,258
1847	1,857,000	6,489,100	2,862,800
1848	1,249,000	4,520,117	2,298,000
1849	1,207,435	4,943,978	3,321,651
1850	1,103,039	3,681,347	2,593,378
1851	1,258,224	4,167,121	5,988,775
1852	1,299,213	5,549,778	5,136,746
1853	975,557	5,420,043	8,065,793
1854	739,756	5,510,782	10,108,983
1855	937,761	8,022,126	9,711,430
1856	1,126,048	8,465,671	9,633,277
1857	845,953	8,334,179	5,713,611
1858	1,536,109	10,671,550	6,621,688
1859	1,420,383	9,234,652	3,113,653
1860	1,122,335	18,502,615	11,386,217
1861	2,159,591	27,105,219	21,024,657
1862	2,846,022	30,435,831	24,388,627
1863	2,978,088	21,240,348	20,086,912
1864	2,028,520	17,677,519	10,478,681
1865	1,788,393	13,437,888	19,840,901
1866	1,313,543	10,479,694	27,894,798
1867	1,440,056	11,879,685	17,873,638
1868	1,502,731	12,555,215	16,804,067
1869	1,598,487	19,228,546	11,549,403
1870	1,470,391	20,556,722	9,410,128
1871	1,278,077	22,606,217	26,110,769
1872	762,502	14,304,942	34,643,180
1873	1,259,205	30,618,372	28,550,828
1874	1,693,585	29,778,572	24,974,548

The following statement shows the receipts of flour, wheat and corn at Buffalo by lake for sixty-five years—(Concluded).

YEAR.	Flour, barrels.	Wheat, bushels.	Corn, bushels.
1875	1,810,402	32,987,656	22,593,891
1876	807,210	19,324,612	20,939,853
1877	693,044	23,284,405	33,362,866
1878	911,980	35,419,136	35,133,853
1879	897,105	37,788,501	32,990,993
1880	1,317,911	40,510,229	62,214,417
1881	1,051,250	18,495,320	34,434,830
1882	1,199,350	26,050,030	21,664,530
1883	2,071,570	24,105,420	34,975,040
1884	2,615,510	32,469,710	18,538,340
1885	2,993,280	27,130,400	21,028,230
1886	4,582,190	41,430,440	29,155,370
1887	4,001,360	48,111,180	30,199,490
1888	5,244,930	27,548,110	36,422,270
1889	5,480,710	26,051,600	47,127,150
1890	6,245,580	14,868,630	44,136,660
1891	7,093,340	76,945,960	29,616,390
1892	9,746,120	78,243,560	32,377,780
1893	10,562,090	68,243,750	40,539,976
1894	11,488,530	50,194,130	29,078,520
1895	8,971,740	46,848,510	38,244,960
1896	10,384,184	54,411,207	47,811,010
1897	11,339,298	50,584,719	55,553,741
1898	10,371,653	83,872,837	67,950,073
1899	8,810,097	48,232,016	53,503,404
1900	11,463,079	47,826,458	63,192,660

The following statement shows the receipts of oats, barley and rye at Buffalo by lake for sixty-five years.

YEAR.	Oats, bushels.	Barley, bushels.	Rye, bushels.
1836	28,640	4,876	1,500
1837	2,533	.....	3,260
1838	6,577	.....	909
1839	.....	.....	.....
1840	.....	.....	.....
1841	14,144	.....	2,150
1842	.....	4,710	1,268
1843	2,489	.....	1,332
1844	18,017	1,617	456
1845	23,300	.....	.....
1846	218,300	47,530	28,250
1847	446,000	.....	70,787
1848	560,000	.....	17,789
1849	362,384	.....	.....
1850	357,580	3,627	.....
1851	1,140,430	142,773	10,652
1852	2,596,231	497,913	112,251
1853	1,580,655	401,098	107,152
1854	4,401,739	313,757	177,066
1855	2,693,222	62,304	299,591
1856	1,733,382	46,327	245,810
1857	1,214,760	37,844	48,536
1858	2,275,231	308,374	125,214
1859	394,502	361,550	124,693
1860	1,209,594	262,158	80,822
1861	1,797,905	313,715	337,764
1862	2,624,982	428,124	791,564
1863	6,322,187	641,440	422,309
1864	11,682,637	465,057	633,727
1865	8,494,799	820,563	877,676
1866	10,227,472	1,606,384	1,245,485
1867	10,933,166	1,802,598	1,010,693
1868	11,492,472	637,124	947,323
1869	5,459,347	651,339	126,093
1870	6,846,983	1,821,154	626,154
1871	9,006,409	1,942,928	1,095,009
1872	6,050,045	3,088,925	301,809
1873	5,972,346	1,232,507	906,977
1874	5,396,781	1,154,948	167,301

The following statement shows the receipts of oats, barley and rye at Buffalo for sixty-five years—(Concluded).

YEAR.	Oats, bushels.	Barley, bushels.	Rye, bushels.
1875	8,494,124	916,889	222,126
1876	2,397,257	2,615,081	761,795
1877	4,279,229	1,652,568	1,155,003
1878	5,122,972	1,375,184	2,135,007
1879	1,101,794	600,740	1,884,802
1880	649,350	335,925	743,451
1881	3,565,737	282,510	22,210
1882	1,620,170	701,500	767,360
1883	3,226,900	583,800	2,830,830
1884	3,174,730	534,130	2,247,060
1885	767,580	577,230	309,370
1886	1,014,670	787,730	126,630
1887	4,656,280	1,459,420	304,540
1888	7,897,310	842,090	513,720
1889	14,309,800	1,474,570	1,906,760
1890	13,860,780	5,165,700	1,281,030
1891	12,454,150	4,373,120	5,603,400
1892	16,500,250	4,600,970	1,316,530
1893	20,700,150	5,791,460	644,590
1894	15,560,230	8,625,090	501,195
1895	21,943,680	10,253,440	787,340
1896	40,107,499	16,697,744	4,404,354
1897	59,815,210	12,858,741	6,631,405
1898	45,501,233	11,391,332	6,821,694
1899	26,423,358	15,008,426	2,804,643
1900	28,422,256	9,868,196	1,314,743

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